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CHAPTER 1E

DISCHARGES OF PETROLEUM AND OTHER
HAZARDOUS SUBSTANCES

Authority

N.J.S.A. 58:10-23.11, 58:10-46 through 50 and 13:1K.

Source and Effective Date

R.1996 d.462, effective September 3, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Executive Order No. 66(1978) Expiration Date

Chapter 1E, Discharges of Petroleum and Other Hazardous Substances, expires on September 3, 2001.

Chapter Historical Note

Chapter 1E, Discharges of Petroleum and Other Hazardous Substances, became effective pursuant to the authority of N.J.S.A. 58:10-23.11 et seq., specifically 58:10-28.11t and N.J.S.A. 13:1D-1 et seq., specifically 13:1D-9, March 31, 1977, as R.1977 d.115. See: 9 N.J.R. 68(c), 9 N.J.R. 217(c). The provisions of the chapter were readopted as R.1985 d.377, effective July 15, 1985. See: 17 N.J.R. 865(a), 17 N.J.R. 1759(a). Pursuant to Executive Order No. 66(1978), Chapter 1E expired on July 15, 1990. The chapter was adopted as new rules, effective August 6, 1990. See: 22 N.J.R. 1657(a), 22 N.J.R. 2284(a). Public Notice: Notice to adopt rules concerning petroleum and other hazardous substances. See: 23 N.J.R. 2507(a). Subchapter 5, Hazardous Substance Discharge: Reports and Notices, was recodified from N.J.A.C. 7:1-7 by R.1990 d.457, effective September 17, 1990. See: 22 N.J.R. 1457(a), 22 N.J.R. 2965(a). Subchapter 7, Confidentiality Claims; Subchapter 8, Confidentiality Determinations; Subchapter 9, Disclosure and Use of Confidential Information; and Subchapter 10, Treatment of Confidential Information, were adopted as R.1992 d.186, effective April 20, 1992. See: 23 N.J.R. 2848(a), 24 N.J.R. 1484(a). Chapter 1E was repealed and adopted as new rules by R.1991 d.465, effective September 3, 1991 (operative September 11, 1991). See: 23 N.J.R. 1335(a), 23 N.J.R. 2656(a).

Pursuant to Executive Order No. 66(1978), Chapter 1E was readopted as R.1996 d.462, effective September 3, 1996. See: Source and Effective Date. As part of R.1996 d.462, Subchapter 4, Registrations and Plans, was renamed as Subchapter 4, Plans; and Appendix C, Mapping and Digital Data Standards, was recodified to N.J.A.C. 7:1 Appendix A, Mapping and Digital Data Standards. See, also, section annotations.

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APPENDIX A LIST OF HAZARDOUS SUBSTANCES**APPENDIX B FINANCIAL FORMS****SUBCHAPTER 1. GENERAL PROVISIONS****7:1E-1.1 Scope**

(a) This chapter covers the discharge of hazardous substances as defined in this chapter. These rules set forth guidelines and procedures to be followed by all persons in the event of a discharge of a hazardous substance. They also set forth certain registration, reporting, design and maintenance requirements for owners and operators of major facilities and transmission pipelines which handle hazardous substances.

(b) This subchapter prescribes the provisions that are generally applicable. The following shall govern how certain terms are defined for use in this chapter, which persons are subject to this chapter, and the Department's rights of access for determining compliance with this chapter and the Act.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

In (a) deleted exception for discharges pursuant to permit.

Case Notes

Terms defined in Spill Compensation and Control Act regulations were not void for vagueness. In re Adoption of N.J.A.C. 7:1E, 255 N.J.Super. 469, 605 A.2d 733 (A.D.1992).

Spill Compensation and Control Act regulations which required reporting of discharges were constitutional. In re Adoption of N.J.A.C. 7:1E, 255 N.J.Super. 469, 605 A.2d 733 (A.D.1992).

Spill Compensation and Control Act regulations which did not specify discharge quantity were not unconstitutional on their face. In re Adoption of N.J.A.C. 7:1E, 255 N.J.Super. 469, 605 A.2d 733 (A.D.1992).

7:1E-1.2 Construction

(a) These rules, being necessary to promote the public health and welfare, and to protect the environment, shall be liberally construed so as to permit the Department to discharge its statutory functions under the Act.

(b) The Commissioner may amend or repeal this chapter in conformance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and N.J.A.C. 1:30.

7:1E-1.3 Severability

If any section, subsection, provision, clause or portion of this chapter or the application thereof to any person or circumstance is adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this chapter and the application thereof to other persons or circumstances shall not be affected thereby, and shall remain in full force and effect.

7:1E-1.4 Relationship to Federal and State Law

These rules are not intended to and do not relieve any person of the duty to comply with all other applicable laws, ordinances, rules, regulations or orders of governmental authorities governing activities regulated hereunder, including rules or regulations of the New Jersey Department of Environmental Protection, New Jersey Department of the Treasury, and other appropriate State, Federal and local agencies.

Case Notes

The Environmental Cleanup Responsibility Act (ECRA) is not preempted by the provision of the Bankruptcy Code; debtor permitted to abandon property as burdensome and cease operations on other property to prevent continuing losses, without complying with ECRA. In the Matter of Borne Chemical Co., Inc., 54 B.R. 126 (Bkrty.Ct.N.J. 1984).

7:1E-1.5 State non-liability

(a) New Jersey State government is not liable for any damages arising from its actions or omissions relating to any plan, registration or map required pursuant to this chapter. No approval by the Department of any plan or of any cleanup and removal activities shall be a defense against liability for the discharge, nor shall it shift liability for the discharge to the Department.

(b) In the event of a discharge, any person responsible for the discharge shall be held liable to the extent determined by the Act.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

In (b) substituted "any person" for "the person".

7:1E-1.6 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Aboveground storage tank" means any storage tank not defined as an underground storage tank.

"Act" means the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., as amended.

"Affiliate" means, with respect to any person, another person:

1. Who has a controlling interest in such person;
2. In whom such person has a controlling interest; or
3. Who is under common control with such person.

"Agent(s) or officer(s) of the municipality" means a duly authorized representative of the municipality or local board of health, including, but not limited to, a member of the police, fire, or public works department, public health officer, township engineer, zoning officer, director of emergency management, or environmental compliance officer.

"API" means the American Petroleum Institute.

"API 574" means the API's Recommended Practice 574, entitled "Inspection of Piping, Tubing, Valves and Fittings," as amended or supplemented.

"API 653" means the API's Standard 653, entitled "Tank Inspection, Repair, Alteration and Reconstruction," as amended or supplemented.

"ASME" means the American Society of Mechanical Engineers.

"ASME Section V" means ASME Boiler and Pressure Vessel Code Section V, entitled "Nondestructive Examination," as amended or supplemented.

"ASME Section VIII" means ASME Boiler and Pressure Vessel Code Section VIII, entitled "Pressure Vessels," as amended or supplemented.

"ASME Section X" means ASME Boiler and Pressure Vessel Code Section X, entitled "Fiberglass-Reinforced Plastic Pressure Vessels," as amended or supplemented.

"Assertedly confidential information" means information which is the subject of a confidentiality claim, for which a confidentiality determination has not been made.

"ASTM" means the American Society of Testing and Materials.

"Broker" means any person who arranges for the transportation, treatment, storage or disposal of hazardous substances on behalf of another person.

"Bulk storage" means the holding of large quantities of substances.

"CFR" means the Code of Federal Regulations.

"Claimant" means any person who submits a confidentiality claim under this chapter.

"Class confidentiality determination" means a confidentiality determination made by the Department under N.J.A.C. 7:1E-8.9, for a class of information.

"Cleanup and removal activities" means actions to clean up or remove or attempt to clean up or remove a discharge of a hazardous substance or the source thereof, or to chemically neutralize the discharge, or measures to prevent or mitigate any damages to the public health, safety or welfare, including, but not limited to, public and private property, shorelines, beaches, surface waters, water columns and bottom sediments, soils and other affected property, including wildlife and other natural resources.

"Cleanup and removal costs" means all costs associated with cleanup and removal activities incurred by the State, its political subdivisions or their agents or any person with written approval of the Department.

"Commissioner" means the Commissioner of the Department of Environmental Protection or the person designated to act on his or her behalf pursuant to an administrative order.

"Confidential copy" means a record (or copy thereof) submitted to or obtained by the Department, containing information which the claimant asserts is confidential information.

"Confidential information" means information for which the claimant has asserted a confidentiality claim, in compliance with the procedures required by N.J.A.C. 7:1E-7, and such confidentiality claim has not expired by its terms, been

waived or withdrawn, and for which the Department has made a confidentiality determination in compliance with N.J.A.C. 7:1E-8.

“Confidentiality claim” or “claim” means, with respect to information that a person is required either to submit to the Department or to allow the Department to obtain, a written request by such person that the Department treat such information as confidential information.

“Confidentiality determination” means a determination by the Department that assertedly confidential information is or is not confidential information.

“Containment” or “containment activities” means actions to limit or prevent the spread of a leak or discharge.

“Contractor” means a person, other than an employee of the owner or operator or the Department, who has entered into an agreement with the owner or operator or the Department to perform services or to provide goods.

“Controlling interest” means any of the following:

1. The direct or indirect beneficial ownership, by the person asserted to have a controlling interest and any of such person’s affiliates, of at least 50 percent of the voting stock or other equity interest in a person;

2. The holding of any direct or indirect beneficial interest, by the person asserted to have a controlling interest in any of such person’s affiliates, in at least 50 percent of the income or profits of a person; or

3. The existence of any other relationship between the person asserted to have a controlling interest and the person controlled, which relationship in fact constitutes control over the affairs of the person controlled.

“DCR plan” means the discharge cleanup and removal plan required under N.J.A.C. 7:1E-4.

“Department” means the New Jersey Department of Environmental Protection.

“Diligent inquiry” means:

1. Conducting a diligent search of all documents which are reasonably likely to contain information related to a possible discharge, which documents are in such person’s possession, custody or control, or in the possession, custody or control of any other person from whom the person conducting the search has legal right to obtain such documents; and

2. Making reasonable inquiries of current and former employees and agents whose duties include or included any responsibility for hazardous substances, and any other current and former employees or agents who may have knowledge or documents relevant to a discharge.

“Discharge” means any intentional or unintentional action or omission, unless pursuant to and in compliance with the conditions of a valid and effective Federal or State permit, resulting in the releasing, spilling, pumping, pouring, emitting, emptying or dumping of a hazardous substance into the waters or onto the lands of the State, or into waters outside the jurisdiction of the State when damage may result to the lands, waters or natural resources within the jurisdiction of the State. This term does not include “leak.”

“Discharge cleanup organization” means an organization or association that has equipment and personnel to be utilized in the recovering, containing, cleaning up or removing of discharges.

“Discharge monitoring device” means any equipment or instrumentation that is used to detect discharges at the facility.

“Double-walled piping” means piping which consists of one pipe fixed inside another, with an annular space between.

“DPCC plan” means the discharge prevention, containment and countermeasure plan required under N.J.A.C. 7:1E-4.

“Environmentally sensitive areas” means, for the purposes of planning for discharge control and mitigation, geographic areas which contain one or more significant natural or ecological resources as set forth in N.J.A.C. 7:1E-1.8.

“EPA” means the U.S. Environmental Protection Agency.

“Equivalent measure” means:

1. The total volume, in gallons, of the drum, tote or other container holding the hazardous substance; or

2. For hazardous substances not stored or transported in containers, the calculated volume, in gallons, of the space the hazardous substance occupies.

“Facility” means any place or equipment that is used to refine, produce, store, hold, handle, transfer, process or transport hazardous substances.

“Final public copy” means a copy of a record submitted to or obtained by the Department, identical to the confidential copy except that any confidential information has been blacked out; provided, however, that if the record is not in a form in which confidential information can be concealed by blacking out, the “final public copy” shall be a copy of such record from which such confidential information has been deleted, containing notations stating where deletions have been made.

“Guarantor” means a person who:

1. Possesses a controlling interest in the owner or operator;

2. Possesses a controlling interest in a person who possesses a controlling interest in the owner or operator;
3. Is controlled by a common parent firm that possesses a controlling interest in the owner or operator; or
4. Is engaged in a substantial business relationship with the owner or operator and issues the guarantee as an act incident to that business relationship.

“Handling” means treating, dealing with, or managing.

“Hazardous substances” means petroleum, petroleum products, pesticides, solvents and other substances as set forth in N.J.A.C. 7:1E-1.7.

“Impermeable” means utilizing a layer of natural or man-made material of sufficient thickness, density and composition so as to have a maximum permeability for the hazardous substance being contained of 10^{-7} centimeters per second at the maximum anticipated hydrostatic pressure.

“Incompatible materials” means those substances which, if mixed, will create hazards greater than those posed by the individual substances alone, such as fire, explosion, or generation of toxic fumes.

“Integrity testing” means a method of testing structures where either hydrostatic testing using water or other liquid or pneumatic testing is done in combination with a system of nondestructive testing which includes shell thickness testing. The nondestructive testing procedures shall be adequate to detect cracks, leaks, and corrosion, erosion or other wall thinning to less than a predetermined minimum thickness to ensure sufficient structural strength. Nondestructive integrity test techniques include magnetic particle tests, acoustic emission tests, electromagnetic particle or eddy current tests, radiography and radiation tests, liquid penetrant tests, or ultrasonic tests.

“Leak” or “leakage” means any escape of a hazardous substance from the ordinary containers employed in the normal course of storage, transfer, processing or use into a secondary containment or diversion system or onto a surface from which it is cleaned up and removed prior to its escape into the waters or onto the lands of the State.

“Liquid” means having a viscosity between 0.2 centipoise and 3000 centipoise inclusive at one atmosphere (760.0 millimeters of mercury) pressure and temperatures between 32 and 120 degrees Fahrenheit (0 and 49 degrees Centigrade).

“Major facility” means all facilities, located on one or more contiguous or adjacent properties owned and/or operated by the same person, having total aggregate, combined storage capacity of:

1. 20,000 gallons or more for hazardous substances other than petroleum or petroleum products;

2. 200,000 gallons or more for hazardous substances of all kinds; or

3. An equivalent measure as defined in this section, for hazardous substances which are not commonly measured by volume;

4. A vessel, except a vessel used solely for activities directly related to recovering, containing, cleaning up or removing discharges of petroleum in the surface waters of the State, including training, research and other activities directly related to discharge response, shall be considered a major facility only when hazardous substances are transferred between vessels. A “transmission pipeline” is not a major facility.

“Major leak” means an accident required to be reported pursuant to 49 CFR 195.50.

“Major maintenance” means maintenance required to correct any condition which is of such a nature that it presents an immediate hazard to persons or property.

“Major repair” means repairs necessary because of a major leak or major maintenance.

“Natural resources” means all land, fish, shellfish, wildlife, biota, air, waters and other such resources owned, managed, held in trust, or otherwise controlled by the State.

“NJPDES permit” means a permit or permit-by-rule issued by the Department pursuant to N.J.A.C. 7:14A.

“Nonmiscible lighter-than-water” means having a density less than water and not mixing with water to an appreciable degree.

“NPDES permit” means a permit or permit-by-rule issued by EPA pursuant to 40 CFR 122.

“Owner or operator” means any person who, with respect to:

1. A vessel, owns, operates or charters by demise such vessel;
2. Any facility, owns such facility, or operates it by lease, contract or other form of agreement; and
3. Abandoned or derelict facilities, owned or operated such facility immediately prior to such abandonment, or the owner at the time of the discharge.

“Paved or surfaced” means to cover with concrete, tile, stones or the like, to create a level, stable, impermeable surface.

“Person” means public or private corporations, companies, associations, societies, firms, partnerships, joint stock companies, as well as individuals, and when used to designate the owner of property which may be subject to this chapter, includes this State, the United States, any other

state of the United States, and any foreign country or government, and any political subdivisions or agents, lawfully owning or possessing property in this State.

“Person in charge” means an individual designated as being in charge of marine transfer operations pursuant to U.S. Coast Guard regulations at 33 CFR 154.710 or 33 CFR 155.700.

“Person responsible for a discharge” means:

1. Any person whose act or omission results or has resulted in a discharge;
2. Each owner or operator of any facility, vehicle or vessel from which a discharge has occurred;
3. Any person who owns or controls any hazardous substance which is discharged;
4. Any person who has directly or indirectly caused a discharge;
5. Any person who has allowed a discharge to occur; or
6. Any person who brokers, generates or transports the hazardous substance discharged.

“Petroleum” or “petroleum products” means any bituminous liquid that is essentially a complex mixture of hydrocarbons of different types with small amounts of other substances, such as compounds of oxygen, sulfur or nitrogen, or metallic compounds, or any of the useful liquid products obtained from such a liquid by various refining processes, such as fractional distillation, cracking, catalytic reforming, alkylation and polymerization. This term shall include, but not be limited to, gasoline, kerosene, fuel oil, oil sludge, oil refuse, oil mixed with other wastes, crude oils, and hazardous substances listed in Appendix A which are to be used in the refining or blending of crude petroleum or petroleum stock in this State.

“Preliminary public copy” means a copy of a record held by the Department, identical to the confidential copy except that any assertedly confidential information has been blacked out; provided, however, that if the record is not in a form in which confidential information can be concealed by blacking out, the “preliminary public copy” shall be a copy of such record from which such confidential information has been deleted, containing notations stating where deletions have been made.

“Process area” or “production facility” means an area employed in production in which an action, operation or treatment embracing chemical, industrial, manufacturing or processing factors, methods, or forms is carried out utilizing hazardous substances. These factors, methods or forms include, but are not limited to, batch or continuous chemical reactions, distillation, blending and mixing operations, refining and re-refining processes, and separation processes.

“Radionuclide” means any substance listed in 40 CFR 302.4, Appendix B.

“Record” means any document, writing, photograph, sound or magnetic recording, drawing, or other similar thing by which information has been preserved and from which the information can be retrieved or copied.

“Regional Administrator” means the Regional Administrator of EPA for the Federal region which includes the State of New Jersey.

“Regulated portion” means the area, portion, or equipment in a major facility or transmission pipeline in which hazardous substances are routinely refined, produced, stored, held, handled, used, processed, or transferred.

“Reservoir” means a receptacle or chamber which can be used for storing a fluid.

“Requester” means a person who has made a request to the Department to inspect or copy records which the Department possesses or controls.

“Response coordinator” means the individual at the major facility who is responsible for the management of the DPCC and DCR plans at the facility and who shall possess sufficient corporate authority and technical background to resolve issues relating to the execution of the DPCC and DCR plans based on information provided by manufacturing, engineering, maintenance, safety and environmental representatives.

“Secondary containment or diversion system” means any structures, devices or combinations thereof supplementary to the ordinary containers employed in the normal course of storage, transfer, processing or use, designed and operated to prevent leaks of hazardous substances from becoming discharges.

“Sewage” means domestic sewage, including the contents and effluents of septic tanks, public sewer systems and public sewage treatment plants.

“Sewage sludge” means the dried or semi-liquid residue of a sewage treatment process.

“Small business” means any business which is resident in New Jersey, independently owned and operated, not dominant in its field, and employs fewer than 100 full time employees.

“SPCC plan” means a Federal Spill Prevention Control and Countermeasure plan developed and approved pursuant to 40 CFR 112.

“Standard operating procedure” or “SOP” means the document setting forth the operating procedures covering all details of any operation involving a hazardous substance which is stored, processed, transferred or used at the facility.

“State of the art technology” means up-to-date technology reflected in equipment or procedures that, when applied at a major facility, will result in a significant reduction in the probability of a discharge. The technology represents an advancement in reduction of leaks or discharges and shall have been demonstrated at a similar facility to be reliable in commercial operation or in a pilot operation on a scale large enough to be translated into commercial operation. The technology shall be in the public domain at reasonable cost commensurate with the reduction in probability of leaks or discharges achieved, or otherwise available at reasonable cost commensurate with the reduction in probability of leaks or discharges achieved. Technologies verified by the New Jersey Corporation for Advanced Technology (NJCAT) as innovative environmental technologies are deemed to meet this definition. Information on verified technologies shall be available from the Department through the Office of Innovative Technology and Market Development within the Division of Science and Research.

“Static head product testing” means testing which involves the filling of a tank, not under pressure, to determine if there are any leaks over a definite period of time.

“Storage capacity” means that capacity which is dedicated to, used for, or intended to be used for storage of hazardous substances of all kinds. This term shall include, but not be limited to, above and underground storage tanks, drums, reservoirs, containers, bins, and the intended or actual use of open land or unenclosed space. For a storage tank, the total volumetric design capacity of the tank shall be the storage capacity. This term shall not include the capacity of:

1. A heating oil tank servicing only the individual private residence at which it is located; or
2. Any underground storage tank at the facility used solely to store heating oil for on-site consumption.

“Storage tank” means any tank or reservoir which is a container for hazardous substance(s) and which is primarily used for bulk storage.

“Substantial business relationship” means the extent of a business relationship necessary under applicable State law to insure that a guarantee contract issued incident to that relationship is valid and enforceable.

“Substantial damage” means damage which is material and of real worth, value or effect. This term does not include damage which is speculative, contingent, or nominal.

“Substantial modification” means any change in facility design, construction, operation or maintenance that will materially affect the facility’s potential for discharges of hazardous substances. This term may include, but is not limited to, change in service of a storage tank, discontinuation of or start-up of a production facility, change in use of

transfer areas or substances transferred, and change in hours of operation.

“Substantial reconstruction” means any restoration, refurbishment, renovation or relocation of existing equipment which incurs costs equal to 50 percent or more of the replacement value of the equipment, or which impairs the physical integrity of the equipment or its monitoring systems.

“Substantiation” means information which a claimant submits to the Department in support of a confidentiality claim pursuant to N.J.A.C. 7:1E-8.3.

“Tangible net worth” means the tangible assets that remain after deducting liabilities; such assets do not include intangibles such as goodwill and rights to patents or royalties. For purposes of this definition, “assets” means all existing and all probable future economic benefits obtained or controlled by a particular entity as a result of past transactions.

“Transfer” means onloading or offloading between major facilities and vessels, or vessels and major facilities, and from vessel to vessel or major facility to major facility except for fueling or refueling operations, and except that with regard to the movement of hazardous substances other than petroleum, it shall also include any onloading of or offloading from a major facility.

“Transfer capacity” means the maximum quantity of hazardous substances which can be transferred into or out of a facility in a 24-hour period.

“Transmission pipeline” means new and existing pipe and any equipment, facility, rights-of-way, or building used or intended for use in the transportation of a hazardous substance by a pipeline and having a throughput capacity of 140 gallons per minute (530 liters per minute) or greater. This term does not include the transportation of a hazardous substance through onshore production or flow lines, refining, or manufacturing facilities, or storage terminals or inplant piping systems associated with those facilities. Any pipe used or intended to be used in the transportation of a hazardous substance which is not a transmission pipeline will be considered an in-facility pipe.

“Underground storage tank” means any tank defined as such in N.J.A.C. 7:14B.

“Vessel” means every description of watercraft or other contrivance that is practicably capable of being used as a means of commercial transportation of hazardous substances upon the waters, whether or not self propelled.

“Waters” means the ocean and its estuaries to the seaward limit of the State’s jurisdiction, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of this State.

Amended by R.1992 d.186, effective April 20, 1992.

See: 23 N.J.R. 2848(a), 24 N.J.R. 1484(a).

Definitions added for "assertedly confidential information", "claimant", "class confidentiality determination", "confidential copy", "confidential information", "confidentiality claim" and "confidentiality determination", "contract", "contractor", "final public copy", "record", "requester" and "substantiation".

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

Inserted "Equivalent measure"; in "Major facility", rewrote 3; and in "State of the art technology", added the fourth and fifth sentences.

Case Notes

Terms defined in Spill Compensation and Control Act regulations were not void for vagueness. In re Adoption of N.J.A.C. 7:1E, 255 N.J.Super. 469, 605 A.2d 733 (A.D.1992).

Spill Compensation and Control Act regulations which required reporting of discharges were constitutional. In re Adoption of N.J.A.C. 7:1E, 255 N.J.Super. 469, 605 A.2d 733 (A.D.1992).

Spill Compensation and Control Act regulations which did not specify discharge quantity were not unconstitutional on their face. In re Adoption of N.J.A.C. 7:1E, 255 N.J.Super. 469, 605 A.2d 733 (A.D.1992).

7:1E-1.7 Hazardous substances

(a) Petroleum and petroleum products and all substances listed in Appendix A to this chapter, incorporated herein by reference, shall be considered hazardous substances, except that sewage and sewage sludge shall not be considered as hazardous substances.

(b) For the purposes of this chapter, the following shall not be considered hazardous substances:

1. Metals, in either their pure elemental form or alloyed, in solid pieces with at least one dimensional measurement equal to or exceeding 100 micrometers (0.004 inches) or chemically bonded to an inert substrate; and

2. Any flammable or inert gas listed in Appendix A and which is designated by an asterisk.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Case Notes

Question whether prior operator of business was responsible for contamination precluded summary judgment. *Elf Atochem North America, Inc. v. U.S.*, E.D.Pa.1993, 833 F.Supp. 488.

7:1E-1.8 Environmentally sensitive areas

(a) For the purposes of designing and implementing a DPCC and a DCR plan, pursuant to N.J.A.C. 7:1E-4, the following shall be considered environmentally sensitive areas:

1. Surface waters, including, without limitation the following: large rivers, medium rivers, streams, creeks, ponds, lakes, and reservoirs as defined in N.J.A.C. 7:7E-4.1; canals as defined in N.J.A.C. 7:7E-3.8; estuaries, as defined in 33 U.S.C. § 1330(k); and bays, including without limitation open bays, semi-enclosed bays and back bays, as defined in N.J.A.C. 7:7E-4.1;

2. Sources of water supply, including surface water intakes, and wells drawing from aquifers and confined aquifers as defined at N.J.A.C. 7:19-1.3, which are utilized by public community water systems, public noncommunity water systems, public water systems, nonpublic water systems, and water systems, as defined at N.J.A.C. 7:10-1.3;

3. Bay islands, as defined at N.J.A.C. 7:7E-3.21, and barrier island corridors, as defined at N.J.A.C. 7:7E-3.20;

4. Beaches, as defined in N.J.A.C. 7:7E-3.22;

5. Dunes, as defined in N.J.A.C. 7:7E-3.16;

6. Wetlands and wetland transition areas, including without limitation the following: freshwater wetlands and wetland transition areas, as defined at N.J.A.C. 7:7A-1.4; and wetlands, as defined in N.J.A.C. 7:7E-3.27;

7. Breeding areas for forest area nesting species, colonial waterbirds or aquatic furbearers;

8. Migratory stopover areas for migrant shorebirds, raptors or passerines;

9. Wintering areas, including coastal tidal marshes and water areas, waterfowl concentration areas and Atlantic white cedar stands;

10. Prime fishing areas, as defined in N.J.A.C. 7:7E-3.4;

11. Finfish migratory pathways, as defined in N.J.A.C. 7:7E-3.5;

12. Water areas supporting various species of submerged vegetation, as defined in N.J.A.C. 7:7E-3.6;

13. Shellfish harvesting waters as defined in N.J.A.C. 7:9B-1.4;

14. Forest areas, including prime forestland and unique forestland;

15. Habitat for Federal and State endangered or threatened plant and animal species, as defined in N.J.A.C. 7:7E-3.38;

16. Federal and State wilderness areas, including areas included within the Natural Areas System or the State Register of Natural Areas pursuant to the Natural Areas System Act, N.J.S.A. 13:1B-15.12a et seq. and 15.4 et seq., and N.J.A.C. 7:5A-1.13, and preserved land held by the New Jersey Natural Lands Trust pursuant to the New Jersey Natural Lands Trust Act, N.J.S.A. 13:1B-15.119 et seq.; and

17. Areas designated as wild, scenic, recreational, or developed recreational rivers, pursuant to the National Wild and Scenic Rivers Act, 16 U.S.C. 1271 et seq., or the New Jersey Wild and Scenic Rivers Act, N.J.S.A. 13:8-45 et seq.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-1.9 Access

(a) During normal business hours and at any time during an actual or suspected discharge or violation the Department and its representatives shall have the right to enter and inspect any facility, vessel, building, or equipment, or any portion thereof, in order to ascertain compliance with the Act, this chapter, or any order, or consent agreement issued or entered into pursuant thereto. At any time, the Department and its representatives shall have the right to enter and inspect those portions of any facility, vessel, building or equipment actively engaged in the transfer or processing of hazardous substances in order to ascertain compliance with the Act or this chapter, or any order, consent order or agreement issued or entered into pursuant thereto. Such right shall include, but not be limited to, the right to test or sample any materials at the facility, to sketch, photograph or videotape any portion of the facility, vessel, building or equipment, to copy or photograph any document or records necessary to determine such compliance or non-compliance; and to interview any employees or representatives of the owner or operator or their contractors. Such right shall be absolute and shall not be conditioned upon any action by the Department, except the presentation of appropriate credentials as requested and compliance with appropriate standard safety procedures.

(b) (Reserved)

(c) (Reserved)

(d) Owners or operators, and any employees or representatives thereof, shall assist and shall not hinder or delay the Department and its representatives in the performance of all aspects of any inspection.

Amended by R.1992 d.186, effective April 20, 1992.

See: 23 N.J.R. 2848(a), 24 N.J.R. 1484(a).

Deleted (e) regarding availability of information.

Case Notes

Entry upon and use of debtor's property by State Department of Environmental Protection personnel for purposes of implementing necessary remedial action to contain or remove dioxin and minimize public exposure was not contemptuous action as a violation of the automatic stay or consent order in force. In the Matter of Hildermann Industries, Inc., 53 B.R. 509 (Bkrtcy.Ct.N.J.1984).

7:1E-1.10 Waiver

The Department, when it determines that the application of these rules would impair expeditious containment or cleanup and removal of discharges, or endanger life, health, safety or the environment, may waive any provision of these rules.

7:1E-1.11 Applicability

(a) No person shall cause, suffer, allow or permit a discharge of a hazardous substance.

(b) Major facilities, as defined in N.J.A.C. 7:1E-1.6, are required to meet the standards of this chapter. The Department shall grant the owner or operator of a major facility a reasonable period of time, in light of all circumstances including economic feasibility, to upgrade existing equipment and procedures to meet the standards of N.J.A.C. 7:1E-2, excluding the requirements of N.J.A.C. 7:1E-2.2(a)4 and 2.2(a)5, if the major facility proves to the satisfaction of the Department that such a time period is needed. The rate of such upgrading shall be proposed by the owner or operator as part of the DPCC and DCR plans submitted pursuant to N.J.A.C. 7:1E-4. New equipment and procedures shall meet the standards of N.J.A.C. 7:1E-2 prior to being placed into service.

(c) A non-major facility which adds storage capacity so as to become a major facility shall be considered a major facility.

(d) The Department may require of any major facility which has been granted a period to upgrade, the installation of alternative prevention and/or detection devices such as alarms, so as to minimize the chances of a discharge, and may, in addition, require the owner or operator of such a major facility to demonstrate an enhanced ability to prevent, expeditiously contain and/or clean up and remove a discharge from the portion of the facility to which a time period to upgrade has been granted. If the Department requires the installation of alternative prevention and/or detection devices, the owner or operator shall propose the devices to be used, subject to the Department's approval.

(e) The Department recognizes that the designs of major facilities differ, and, therefore, appropriate methods of discharge prevention are necessarily site-specific. Wherever in these rules a particular method of discharge prevention is mandated, the owner or operator of a major facility may substitute an alternate method if he or she can demonstrate to the satisfaction of the Department that such alternate method will provide protection against discharges at least equivalent to the method it is intended to replace.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (b), inserted reference to existing equipment and procedures in second sentence and added last sentence.

Cross References

Violations, civil administrative penalties, see 7:1E-6.8.

Case Notes

Under New Jersey law, insured's disclosures in environmental plans and permit applications did not compel finding of intended or expected environmental damage not covered by comprehensive general liability insurance policies. *Pittston Co. v. Allianz Ins. Co.*, D.N.J.1995, 905 F.Supp. 1279.

Commencing transfer operations of leaking gasoline in severe weather conditions that increased risk of discharge warranted civil administrative penalties. *Department of Environmental Protection v. Stolt-Nielsen*, 95 N.J.A.R.2d (EPE) 157.

SUBCHAPTER 2. PREVENTION AND CONTROL OF DISCHARGES AT MAJOR FACILITIES

7:1E-2.1 Scope

This subchapter prescribes the rules of the Department applicable to the owners or operators of major facilities storing, transferring, processing or using hazardous substances. The following shall govern the standards for equipment and procedures utilized at major facilities.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Cross References

Discharge prevention, containment, and countermeasure plans, see 7:1E-4.3.

Violations, civil administrative penalties, see 7:1E-6.8.

7:1E-2.2 Storage

(a) Aboveground storage tanks shall meet the following standards:

1. Aboveground storage tank installations shall be provided with an adequate means of secondary containment or diversion system, designed and built pursuant to N.J.A.C. 7:1E-2.6.

2. The base underlying the storage tank shall be made of or surfaced with a material impermeable to passage or chemical attack by the stored substance under the conditions of storage prevailing within the tank. Existing storage tanks shall be exempt from this requirement until such time as they may require substantial reconstruction or replacement, unless the Department orders a storage tank removed from service because of the likelihood of a discharge. Before such a tank is returned to service, it must meet this requirement.

3. Pipes leading to and from aboveground storage tanks which enter the tank below the liquid level shall be equipped with valves that can be remotely activated or are readily accessible in the event of a leak or discharge, and which are sufficiently close to the tank that they can prevent the contents of the tank from escaping outside the secondary containment area in the event of a pipe rupture outside the containment area. Such pipes shall not penetrate or pass through any walls, dikes or berms used as secondary containment, unless the impermeability or integrity of the secondary containment is not impaired.

4. Aboveground storage tanks installed prior to July 22, 1990 with a capacity greater than 2,000 gallons and all appurtenant piping to the first valve shall be subject to initial integrity testing or static head product testing on a schedule which takes into account the age of the tank, proximity to surface water supplies, the leak record of the tank for the preceding five years, and the date of the tank's last integrity test, as delineated in Table 1, and according to the schedule in Table 2. Thereafter, each aboveground storage tank with a capacity greater than 2,000 gallons and its appurtenant piping to the first valve shall undergo a combination of integrity testing and internal visual inspection at intervals based on the construction material of the tank, substances stored, soil conditions, corrosion allowance remaining, corrosion rate, leak history of the tank, degree of risk and the results of visual inspections, as described in the DPCC plan pursuant to N.J.A.C. 7:1E-4.2(d). In no case shall the period of time between the combination of integrity tests and internal inspections exceed five years, unless the tank has an inspection and maintenance program that is in compliance with API 653, incorporated herein by reference. Integrity testing should be performed in compliance with accepted industry standards, which include, but are not limited to, API 574, API 653, ASME Section V, ASME Section VIII, and ASME Section X, incorporated herein be reference.

Table 1
Testing Schedule Factors

Factor	Points
Age of tank (years)	
>50	10
26-50	6
10-25	3
<10	1
Proximity to surface water supplies (feet)	
≤500	5
>500	1
Number of leaks in past five years	
≥2	25
1	5
0	1

Factor	Points
Years since last structural integrity test	
≥ 5	15
>1 but <5	5
≤ 1	1

Table 2
Initial Testing Schedule

Total points from Table 1	Deadline for testing
>30	February 1, 1992
21-30	August 1, 1992
11-20	February 1, 1993
≥ 10	August 1, 1993

5. A report on the initial integrity testing or static head product testing required by (a)4 above shall be submitted to the Department within 30 days of the completion of the test. This report shall include identification of the facility and the equipment tested, the age of the equipment, the test method(s) used, date of the test(s), name and affiliation of the person performing the test, the summary test results, any repairs performed or scheduled to be performed after the tests, and the expected service life of the equipment. The report shall be certified pursuant to N.J.A.C. 7:1E-4.11, and shall be sent to:

Bureau of Discharge Prevention
New Jersey Department of Environmental Protection
PO Box 424
Trenton, New Jersey 08625-0424

6. Aboveground storage tanks installed or placed into service on or after July 22, 1990 with a storage capacity greater than 2,000 gallons and all appurtenant piping to the first valve shall be subject to integrity testing prior to being placed into service. For shop fabricated tanks, testing done by the manufacturer at the site of manufacture is acceptable. Subsequent testing shall be performed in accordance with (a)4 above.

7. If a tank has been tested or inspected as required by (a)4 or 6 above and fails to meet the applicable standards as to structural integrity or where a condition has been determined to exist for which there is no standard as set forth in (a)4 or 6 above, but which, in the opinion of the person performing the tests or inspection as set forth in the report, constitutes a condition which will threaten structural integrity, the tank shall be emptied and remain empty until it is repaired or replaced. Conditions threatening structural integrity may include, but are not limited to, wall thinning, leaks, or extensive corrosion, pitting, or cracking.

(b) Underground storage tanks shall meet the requirements of N.J.A.C. 7:14B.

(c) If a storage tank is served by internal heating coils, such coils, the pipes leading to and from them, and the appurtenances to which they connect, must be designed so that any leakage passing from the tank into the heating coil system will be captured and contained in a secondary containment or wastewater treatment system.

(d) Every aboveground storage tank, except as provided in (e) below, shall have a high liquid level audible or visual alarm designed to alert plant personnel of overfills, and one of the following:

1. A high liquid level pump cutoff device designed to stop flow at a predetermined level;
2. Direct communication between tank gauger and pumping station, such as direct line of sight, or telephone or radio communication; or
3. Fast response systems for determining liquid levels, which result in rapid shutdown of pumping.

(e) Owners or operators of aboveground storage tanks of 2,000 gallons or less may meet the requirement of (d) above by having such tanks attended at all times during the filling procedure.

(f) Storage tank overflow lines, where they exist, shall be directed into secondary containment, other tanks, or other containment holding areas.

(g) Mobile or portable storage tanks shall be positioned or located so as to be protected by secondary containment or diversion structures designed and built pursuant to N.J.A.C. 7:1E-2.6. Such storage tanks shall not be located in areas subject to periodic flooding or washout, unless adequately protected so as to prevent hazardous substances stored therein from being carried off or discharged at times of flooding or washout.

(h) Drum and other storage areas shall be equipped with adequate secondary containment or diversion systems designed and built pursuant to N.J.A.C. 7:1E-2.6.

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).
In (a), added 7.

7:1E-2.3 Tank car or tank truck loading or unloading areas

(a) All tank car or tank truck loading or unloading areas employed in the loading or unloading of hazardous substances shall be paved or surfaced with impermeable materials, and equipped with an adequate means of secondary containment or diversion, designed and built pursuant to N.J.A.C. 7:1E-2.6.

(b) Prior to the filling of any tank car or tank truck, the lowermost drain and all outlets of such vehicle shall be examined in accordance with the applicable SOP to insure they are closed.

(c) During filling and prior to departure of any tank car or tank truck, the lowermost drain and all outlets of such vehicles shall be closely examined for leakage, in accordance with the appropriate SOP, and if necessary, tightened, adjusted, repaired or replaced so as to prevent liquid leakage in transit. All manifolds on tank cars or tank trucks shall be flanged or capped, and valves secured, prior to leaving loading or unloading areas.

(d) A system to prevent tank car or tank truck departure before complete disconnect of loading or unloading lines, such as a physical barrier (that is, wheel chocks) or brake interlock system, shall be utilized in loading or unloading areas.

(e) Tank cars in the process of being loaded or unloaded shall be attended at reasonable intervals during the procedure, and shall be attended during topping off, in accordance with the appropriate SOP. Tank trucks in the process of being loaded or unloaded shall be attended at all times during the procedure, in accordance with the appropriate SOP.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.4 In-facility pipes for hazardous substances

(a) Where practicable, each in-facility pipe at a major facility containing a hazardous substance shall be marked by lettering, color banding or color coding to indicate the substance transferred through it.

(b) New buried piping installations shall have a product-sensitive leak detection device, where such devices are state-of-the-art, and shall be double walled or have adequate secondary containment or diversion systems designed and built pursuant to N.J.A.C. 7:1E-2.6.

(c) Existing buried pipes shall be equipped with product-sensitive leak detection devices, where such devices are state-of-the-art technology.

(d) If a section of buried pipe is exposed for any reason, the owner or operator shall ensure that it is carefully examined for deterioration, and if found to be deteriorated, shall be repaired or replaced. Existing pipes which require substantial reconstruction or replacement shall be upgraded to the standards applicable to new buried piping.

(e) Pipes removed from service shall be capped or blank-flanged and marked as to origin, or physically removed.

(f) Pipe supports should be designed so as to minimize abrasion and corrosion and allow for expansion and contraction.

(g) If in-facility pipes are elevated across roadways, gate check-in procedures, warning signs or other means shall be used to minimize the chance of a vehicular collision with the pipes.

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.5 Process areas at major facilities for hazardous substances

(a) Drainage from production facilities, including buildings, and other process areas shall be designed and built so as to provide a means of secondary containment or diversion for leaked hazardous substances pursuant to N.J.A.C. 7:1E-2.6.

(b) Process wastewater and cooling water pipes, plant drains and similar installations which drain into sewers, storm drains, public wastewater treatment plants, watercourses or other routes which drain to the waters of the State shall be engineered so that leaks of hazardous substances will not escape through them to waters of the State. If hazardous substances captured in secondary containment systems will drain into process wastewater lines, provision must be made to ensure compliance with the applicable NPDES or NJPDES permit before the water is discharged.

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

7:1E-2.6 Facility drainage and secondary containment

(a) All portions or areas of a major facility in which hazardous substances are routinely refined, produced, stored, held, handled, processed, or transferred shall be designed so that any leak will be prevented from becoming a discharge.

(b) Impermeable secondary containment or diversion structures to prevent leaked hazardous substances from becoming discharges include:

1. Dikes, berms or retaining walls;
2. Curbing;
3. Gutters, culverts and drainage systems;
4. Diversion ponds, lagoons, retention basins, holding tanks, sumps, slop tanks and other collecting systems;
5. Drip pans; or
6. Other equivalent means approved by the Department.

(c) Secondary containment or diversion systems, structures or equipment shall meet the following standards:

1. The secondary containment or diversion system must block all probable routes by which leaked hazardous substances could reasonably be expected to become discharges;

2. The capacity of the secondary containment or diversion system shall include an additional capacity to accommodate six inches of rainwater, if the secondary containment or diversion structure is located such that rainwater could accumulate in it, and shall be:

i. For storage areas, the volume of the largest tank or drum utilizing the system;

ii. For tank car or tank truck loading/unloading areas, the volume of the largest compartment in any tank car or tank truck utilizing the area;

iii. For buried pipes, the maximum volumetric flow rate multiplied by the maximum amount of time between the detection of a leak and the shutdown of the pipe; or

iv. For process areas, the volume of the largest piece of equipment in the area, or the volumetric flow rate through the area multiplied by the maximum amount of time between the detection of a leak and the shutdown of the system, whichever is greater;

3. All components of the secondary containment or diversion system shall be made of or lined with impermeable materials, which must be maintained in an impermeable condition. Existing systems for existing aboveground storage tanks are exempt from this requirement if the existing system:

i. Can protect ground water for the period of time needed to clean up and remove a leak, up to the entire volume of the largest tank utilizing the system;

ii. Allows the visual detection of leaks; and

iii. Is inspected daily;

4. No process area, loading or unloading area, diked storage area or other storage area, or secondary containment or diversion system appurtenant thereto shall drain into a watercourse, or into a ditch, sewer, pipe or storm drain that leads directly or indirectly into a watercourse or public sewage treatment plant, unless provision is made to:

i. Retain, by valves or other positive means, any accumulated precipitation until its condition can be ascertained; or

ii. Intercept any leaked hazardous substances in a permitted industrial wastewater treatment or pretreatment facility or other facility operated in accordance with a valid and effective NJPDES or NPDES permit;

5. Catchment basins, lagoons, and so forth, shall not be located in a manner that would subject them to flooding;

6. Incompatible materials shall not be stored within the same containment area if there is a substantial likelihood of them mixing in the event of leakage. This restriction does not apply to process areas where the substances are brought into proximity as part of a production process; and

7. Provision shall be made for promptly removing leaked hazardous substances from a secondary containment or diversion system. Secondary containment systems shall not be used as backup storage systems nor for any other purpose that would impair their capacity to contain leaks.

(d) A major facility handling nonmiscible lighter-than-water hazardous substances, which is adjacent to, or sufficiently near a body of surface water such that a leak from the facility would be reasonably expected to become a discharge, shall maintain on site flotation boom and/or filter fences and/or sorbent materials sufficient to contain and prevent the further spread of discharges.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.7 Marine transfer facilities

(a) All rules and regulations of the U.S. Coast Guard which apply to oil transfer facilities, in particular 33 CFR 154 and 156, are herein expressly adopted by reference, and are further made applicable as well to all marine transfer facilities which transfer in the liquid state any hazardous substances other than oil.

(b) If oil or other nonmiscible lighter-than-water hazardous substances are transferred at the facility, there shall be kept available a length of flotation boom or other containment device sufficient to totally enclose a vessel while engaged in the transfer of hazardous substances from a vessel to the facility or from the facility to a vessel.

(c) When transferring hazardous substances between vessels, the containment device shall be capable of encircling both vessels.

(d) A containment device shall be deployed prior to commencing the transfer of any nonmiscible lighter-than-water hazardous substance with a flash point in excess of 100 degrees Fahrenheit (38 degrees centigrade) as measured by the Penske-Martens closed cup flash test (ASTM D-93, incorporated herein by reference), when current and wind conditions permit the effective use of such devices and the device can be safely deployed without endangering any personnel, any vessel, or obstructing any shipping channel. This provision does not apply to the transfer of any hazardous substance to be used as a fuel or a lubricant by the vessel.

(e) When conditions prohibit the immediate deployment of a containment device, such containment device shall be maintained on a standby basis during the transfer for rapid deployment in the event of a discharge.

(f) When transferring or receiving hazardous substances where the vessel is docked parallel to the dock, the containment device is to originate at some point before the bow and terminate at some point behind the stern of the vessel so that the dock itself constitutes one side of the contained area, if the dock is capable of acting as an effective barrier.

(g) In the case of an "open pier" or a "finger dock" where the vessel is docked perpendicular to the dock, the boom is to encircle the entire vessel except for the area of the dock the vessel sits adjacent to, if the dock is capable of acting as an effective barrier.

(h) If a containment device is required by the Department to be in place during a transfer of a hazardous substance, the device shall be deployed not less than 15 feet from the vessel prior to commencement of the transfer operation, except in the case where a dock may act as part of the containment, and shall be maintained in a manner that minimizes the potential for any discharged hazardous substance from leaving the contained area.

(i) Transfer operations shall not commence, or if commenced shall be discontinued immediately, upon detection of any of the following:

1. National Weather Service forecasts predict for the vicinity of the facility gale force winds, heavy rain, sleet, snow or other storm conditions, and the person in charge determines that a transfer cannot be accomplished without increased risk of discharge, or if such weather condi-

tions occur after transfer operations have been commenced;

2. Fire occurs in the vicinity of the transfer operation or a nearby portion of the transfer facility unless such a transfer is necessary to prevent further endangerment of personnel, the vessel or facility;

3. At any time the transfer system is functioning contrary to the standard operating procedures of the facility;

4. A break occurs in the transfer system;

5. There is an apparent discrepancy between the quantity of hazardous substance transferred and received;

6. The communication system is not operative;

7. Hazardous substances are observed in the water near any transfer component, unless it can be ascertained that the hazardous substances are not being discharged from the vessel or the marine transfer facility involved in the transfer operation; or

8. A discharge occurs during transfer. Transfer shall not be resumed until after the discharge has been reported to the Department, and the Department or Federal on-scene coordinator under the National Contingency Plan pursuant to 40 CFR 1510 is satisfied that adequate steps have been taken to contain the discharge and to prevent further discharges. Under certain circumstances, it may be necessary to continue transfer operations even though a discharge has occurred, for example, in order to off-load the contents of a vessel which is leaking.

(j) When a containment device is deployed, prior to its removal, all discharged hazardous substances contained by the device shall be properly cleaned up and removed.

(k) Any containment device deployed shall be retrieved and properly cleaned or disposed of by the owner or operator upon completion of the transfer, or at such time as it is no longer needed to prevent the spread of or to divert a discharge.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Case Notes

Commencing transfer operations of leaking gasoline in severe weather conditions that increased risk of discharge warranted civil administrative penalties. Department of Environmental Protection v. Stolt-Nielsen, 95 N.J.A.R.2d (EPE) 157.

7:1E-2.8 Illumination

(a) Major facilities which transfer hazardous substances to or from vessels between the hours of sunset and sunrise shall perform all such transfers using fixed lighting that shall adequately illuminate:

1. Each transfer connection point in use at the facility;

2. Each transfer connection point in use on the vessel;

3. Each hazardous substances transfer work area at the facility; and

4. Each hazardous substances transfer work area on the vessel.

(b) Major facilities which transfer hazardous substances to or from vessels between the hours of sunset and sunrise shall perform all such transfers using fixed or portable lighting that shall adequately illuminate surface area of the water surrounding the vessel sufficient to determine that no discharge is occurring.

(c) Adequate lighting shall mean any lighting which complies with U.S. Coast Guard rules or regulations applicable to oil transfers facilities, particularly 33 CFR 154.570.

7:1E-2.9 Flood hazard areas

Hazardous substances stored within the 100-year flood hazard area of any watercourse as delineated by the Department in N.J.A.C. 7:13-7.1 or stored within an area known by the owner or operator of the major facility to be subject to a high probability of flooding shall be adequately protected so as to prevent such hazardous substances from being carried off by or being discharged into flood waters.

7:1E-2.10 Visual inspections and monitoring

(a) All equipment and portions of the major facility in service using hazardous substances shall be visually inspected in accordance with standard operating procedures pursuant to N.J.A.C. 7:1E-2.14. Visual inspections shall be performed at a minimum according to the following schedule:

1. Prior to each marine transfer for adequacy, deterioration, leaks or discharges, all transfer area lighting and all aboveground transfer valves, pumps, flanges, flexible hoses and connections, unless they are not readily accessible, that are to be used in the transfer;

2. Once daily for integrity and leaks, all secondary containment systems and diversion systems for aboveground storage tanks which are not impermeable;

3. Once daily or prior to each use, whichever is less frequent, for integrity, deterioration and leaks, loading or unloading areas, including flexible hoses;

4. Once weekly for integrity and leaks, process areas;

5. Once monthly for integrity and leaks, all other storage areas and secondary containment or diversion systems, and all aboveground pipes; and

6. Once quarterly for integrity and leaks, all other aboveground valves, pumps, flanges, connections and equipment and all security fences and locks.

(b) Records shall be kept for all visual inspections. These records shall document that inspections were performed, any problems found, and the subsequent correction of such problems.

(c) Unless a leak or discharge is likely to be detected by personnel, product gauging, an automatic leak detection system, or other means acceptable to the Department, the owner or operator of a major facility shall implement a ground water monitoring program approved by the Department and satisfying the requirements of N.J.A.C. 7:14A-6.

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.11 Housekeeping and maintenance

(a) Hazardous substances shall be kept in containers suitable for their storage or processing at all times except when being transferred between containers. Containers shall be compatible with the substances stored therein and resistant to chemical attack by the substances. Hazardous substances shall be kept protected from the elements and the possibility of leakage.

(b) Tanks, pipes, valves, glands, drums or other equipment leaking hazardous substances shall be promptly repaired, replaced or taken out of use following detection of a leak, unless provision is made to capture and contain leaking hazardous substances in a drip pan or other appropriate containment device. If such provision is made, the leaking item shall be repaired, replaced or taken out of use within 15 days after the leak is detected unless the shutdown of a process unit is necessary. A leak shall be repaired at the earliest period in which either the process is not in operation or the particular unit is out of service, whichever occurs first.

(c) Cleanup of all leaks or discharges of hazardous substances shall begin promptly upon detection. Loose quantities of hazardous substances shall not be allowed to persist on grounds, floors, walls or equipment, or any other places within the facility.

(d) The facility shall keep on hand, in convenient locations, adequate quantities of sorbent materials, chemical neutralizing agents or other materials as needed, sufficient to contain and clean up such small leaks or discharges as may be expected to occur in the ordinary operations of the facility.

(e) The facility shall maintain an adequate supply of protective safety equipment, such as chemically resistant coveralls, boots, or gas masks, in convenient locations for use by any personnel who are required to clean up leaked or discharged hazardous substances. Where protective safety equipment is required by any regulation of the Federal Occupational Safety and Health Administration, compliance

with such regulation shall be deemed to fulfill this requirement.

(f) Secondary containment or diversion systems shall be maintained in good repair, free of cracks through which hazardous substances could be discharged.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.12 Employee training

(a) Owners or operators of major facilities shall implement an appropriate program for training their employees involved in the handling of hazardous substances and shall maintain a written description of the program.

(b) The training program shall include, at the minimum, the following:

1. A written job description which includes the duties and responsibilities relating to hazardous substances for each position, and the education, experience and training necessary to qualify for the position;

2. Procedures to determine whether an employee has demonstrated the ability to carry out the duties and responsibilities of a specific position; and

3. Specified time periods of in-house training for each position covering orientation, specific hazardous substances training and on-the-job training, trainee evaluation, final qualification, and periodic refresher training. A procedure shall be established for tracking the progress of each employee at regular intervals and shall be included in the written description required by (a) above. In addition, the maximum period of time for each training program shall be established within which the employee must achieve qualified status.

(c) The training which all employees involved in the handling of hazardous substances will receive shall include:

1. General orientation and initial training of new employees before assignment to hazardous substance operations, which shall include instruction on the general site rules and practices, and safety procedures;

2. Classroom training for new or newly assigned employees involved with hazardous substances;

3. On-the-job training for newly assigned employees; and

4. Refresher training at least once a year which shall present an overview and updated information.

(d) Employees with duties and responsibilities including emergency response, chemical operations or hazardous substance processing, shall receive additional training in the following areas:

1. Safety, equipment and procedures used in the clean-up and removal of a specific hazardous substance;

2. Standard operating procedures, including a detailed review of the hazardous substance material safety data sheets, the safe handling practices for the hazardous substance, the hazards of the operation involving the hazardous substance, and the application of standard operating procedures to actual conditions;

3. Emergency procedures regarding fires, leaks and discharges;

4. Equipment familiarization;

5. Operating data collection and entry;

6. Equipment startup and shutdown; and

7. Control and adjustment of operating conditions.

(e) The training program shall specify the qualifications required for the personnel responsible for training employees working with hazardous substances.

(f) Documentation of all training, evaluation and qualifying activities for each employee shall be kept at the facility and shall include identification of all personnel trained, their job titles, subjects covered and training dates.

(g) Owners or operators shall have procedures to insure that all employees utilized by outside contractors have received site-specific information covering emergency and safety procedures.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.13 Security

(a) Major facilities shall be adequately illuminated so that personnel on the premises can detect intruders, leaks or discharges during hours of darkness.

(b) Major facilities shall have security sufficient to prevent unauthorized persons from gaining access to hazardous substances. This security may consist, for example, of:

1. Fencing adequate to prevent unauthorized entry (full fencing on land) of all portions or areas within which hazardous substances are stored, processed, transferred or used, with entrance gates locked and/or guarded when the facility is unattended, and either locked, guarded or under observation by personnel at all other times; or

2. For aboveground storage tanks, all of the following:

i. Valves which will permit escape of a tank's or other container's contents to the surface securely locked in the closed position when not in use;

ii. Starter controls on all pumps locked in the "off" position when the pumps are not in use unless the controls are located at a site accessible only to authorized personnel, which site is itself attended or locked; and

iii. The open ends of all pipes securely capped or blank-flanged when not in use for an extended time.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.14 Standard operating procedures

(a) The owner or operator shall have written standard operating procedures for all operations involving hazardous substances. They shall be in English in a manner understandable by employees of the major facility and shall also be written in the language of fluency of employees utilizing those SOPs not fluent in English.

(b) A copy of the standard operating procedures shall be readily available to employees.

(c) A copy of material safety data sheets or fact sheets for each hazardous substance used or stored at the facility shall be readily available to employees.

(d) The standard operating procedures shall include, at a minimum, the following:

1. A process description;

2. Procedures and conditions for normal operation;

3. A description of leak or discharge conditions which could occur, including the control and mitigation procedures to be followed to reduce the impact of the leak or discharge conditions;

4. A description of the type, location and purpose of containment systems and devices, leak monitoring equipment and alarms; and

5. Procedures for visual inspection of equipment.

(e) In addition to the items in (d) above, the standard operating procedures shall include, as appropriate for the operation being described, the following:

1. Simplified process flow sheets, showing flows, temperatures and pressures;

2. A description of the most frequent abnormal conditions, including the control and mitigating procedures to be followed to return to normal conditions;

3. Pre-startup procedures;

4. Startup procedures including conditions to be maintained during startup;

5. Shutdown procedures including provisions for normal and emergency shutdown and details on the condition of equipment to be maintained after shutdown;

6. Procedures to prepare equipment for maintenance and inspection of maintenance work upon completion and prior to placement of equipment in service; and

7. Log sheets and checklists where appropriate to the operation.

(f) A generic SOP may be written when more than one piece of equipment designed to perform the same function is located at the facility. Such a generic SOP must cover all hazardous substances utilized with all the equipment and must delineate any special conditions associated with a specific piece of equipment or hazardous substance.

(g) Modifications to the standard operating procedures shall be incorporated into the standard operating procedures prior to their implementation.

(h) A current index of the standard operating procedures with corresponding latest dates of issue shall be maintained and readily available.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-2.15 Recordkeeping

(a) The owner or operator of a major facility shall maintain records of employee training and drills for discharge prevention, and hazardous substance inventories for a period of three years.

(b) The owner or operator of a major facility shall maintain records of confirmation reports on discharges pursuant to N.J.A.C. 7:1E-5.8(c) inspection, major maintenance, and major repair of all structures other than aboveground storage tanks, equipment, and detection or monitoring, prevention or safety devices related to discharge prevention and response for 10 years or the lifetime of the structure, equipment or device, whichever is shorter.

(c) For aboveground storage tanks, the owner or operator of a major facility shall maintain records of integrity testing, inspection, major maintenance, and major repair for the lifetime of the tank.

(d) All records shall be available for inspection upon the request of the Department or appropriate local agencies.

(e) Records may be retained on microfilm or microfiche or may be kept in an electronic or computerized form if they are adequately backed up.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).
In (b), amended N.J.A.C. reference.

SUBCHAPTER 3. TRANSMISSION PIPELINES

7:1E-3.1 Scope

This subchapter prescribes the rules of the Department for information to be submitted concerning transmission

pipelines. The following rules shall govern the preparation and submission of registrations.

7:1E-3.2 Registration of transmission pipelines

(a) By February 1, 1992, and by each February 1 at five year intervals thereafter, the owner or operator of a transmission pipeline shall submit the following information to the Department, on forms provided by the Department:

1. The business name(s), address and telephone number of the owner or operator of the facility;
2. The name and business address of the owner or operator's registered agent;
3. The storage capacity of any facility;
4. A description of the hazardous substances which are stored, held, handled, transferred or transported by the facility;
5. The transfer capacity and the average daily throughput, on an annual basis, of the transmission pipeline for each hazardous substance;
6. An accurate map or maps, showing the location of each of the owner or operator's pipeline facilities, storage areas, transfer areas, or other structures in or on which hazardous substances are stored or handled, the geographical features of the surrounding area, and the location at which the pipeline facility enters or leaves the State. Those maps which are currently maintained pursuant to regulations of the U.S. Department of Transportation are sufficiently accurate;
7. An inventory of all types of pipe used for the transmission of hazardous substances, including a history of major repairs, major maintenance and major leaks from all pipes; and
8. Any certifications required pursuant to N.J.A.C. 7:1E-4.11(b).

(b) Any change in the information supplied pursuant to (a) above or N.J.A.C. 7:1E-3.4(a) shall be reported to the Department within 60 days.

(c) The information required by (a) or (b) above shall be sent to:

Bureau of Discharge Prevention
New Jersey Department of Environmental Protection
PO Box 424
Trenton, New Jersey 08625-0424
Attention: Pipeline Registration

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

7:1E-3.3 Standards

All transmission pipelines shall conform to 49 CFR 195, "Transportation of Liquids by Pipeline", and any future supplements and amendments thereto.

7:1E-3.4 Discharge cleanup information

(a) By February 1, 1992, and by each February 1 at five year intervals thereafter, the owner or operator of a transmission pipeline shall submit the following information to the Department at the address specified in N.J.A.C. 7:1E-3.2(c):

1. A summary of the action plan used in responding to, and minimizing health and environmental dangers from, fires, explosions or discharges, including the deployment of personnel and equipment, the chain of command for an emergency response action, and notification procedures pursuant to N.J.A.C. 7:1E-5;

2. A list of containment and removal equipment and materials to which the transmission pipeline has access through ownership, contract or others means, including, but not limited to, vehicles, vessels, pumps, skimmers, booms, chemicals, and communications devices;

3. A list of the trained personnel who are available to operate such equipment and a brief description of their qualifications. In lieu of supplying a list of names, the owner or operator may supply a list of job titles of employees who will be assigned to operate containment and removal equipment, and a statement of the minimum qualifications that will be required of each employee so assigned;

4. The name, title and 24-hour business telephone number of facility's response coordinator or other person authorized to hire contractors and release funds for discharge response, containment, cleanup and removal. A response coordinator or alternate shall be available at all times; and

5. Procedures for determining the recycling or disposal options for hazardous substances or contaminated soil, debris, and so forth gathered during cleanup and removal operations.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

SUBCHAPTER 4. PLANS**Cross References**

Designation of environmentally sensitive areas, see N.J.A.C. 7:1E-1.8.

7:1E-4.1 Scope

This subchapter prescribes the rules of the Department for information to be submitted concerning major facilities. The following rules shall govern the preparation and submission of discharge prevention, containment and countermeasure plans, and discharge cleanup and removal plans.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Case Notes

Regulatory requirement for submission of discharge cleanup and recovery plan is at odds with Spill Compensation and Control Act where overlapping federal statutes or regulations also require submission of such a plan. *GATX Terminals Corp. v. Dept. of Environmental Protection*, 173 N.J.Super. 531, 414 A.2d 980 (App.Div.1980), reversed 86 N.J. 46, 429 A.2d 355 (1981).

Discharge cleanup and removal (DCR) plan pertains to procedures to be followed in the event of a discharge, as well as equipment available to contain and remove discharged hazardous substances. *GATX Terminals Corp. v. Dept. of Environmental Protection*, 173 N.J.Super. 531, 414 A.2d 980 (App.Div.1980), reversed 86 N.J. 46, 429 A.2d 355 (1981).

7:1E-4.2 Discharge prevention, containment and countermeasure plans

(a) The owner or operator of a major facility shall prepare a DPCC plan demonstrating compliance with the standards in N.J.A.C. 7:1E-2, and shall appoint a response coordinator for each site who shall be responsible for insuring compliance with the DPCC plan, the Act, and this chapter. The response coordinator shall be responsible for submission of all reports required by this chapter to the Department.

(b) The DPCC plan shall contain the following general information:

1. The name, telephone number and location of the facility including street and mailing address, county, municipality, and tax lot and block number;

2. The name(s), telephone number(s) and business address(es) of the owner or operator of the facility;

3. The name and business address of the owner's or operator's registered agent, if applicable;

4. A general site plan, which accurately reflects the current facility, in the format prescribed in N.J.A.C. 7:1E-4.10, showing the location of storage tanks, drum storage areas, process buildings, loading or unloading areas, marine transfer areas, and any other structures in or on which hazardous substances are stored or handled, or which are used for the prevention of discharges, and all facility fencing and gates;

5. A drainage and land use map, in the format prescribed in N.J.A.C. 7:1E-4.10, which accurately reflects the current facility and the surrounding area, including the direction of surface water runoff from the site, location of all major sewers, storm sewers and all water-courses into which the surface water runoff from the facility drains and the location of supply or monitoring wells;

6. Topographical maps, in the format prescribed in N.J.A.C. 7:1E-4.10, covering all surrounding area which could be affected by a discharge from the facility, including environmentally sensitive areas; and

7. The anticipated date on which the facility will become operational, if the facility is a new one.

(c) If the facility has experienced two or more discharge events within the previous 12 months, the DPCC plan shall include a description of each such event, corrective action taken, and plans for preventing recurrences.

(d) The DPCC plan shall include, at a minimum, the following technical information, keyed to the following paragraphs, in sequential order:

1. A description of all storage areas, addressing all standards under N.J.A.C. 7:1E-2.2, including, but not limited to, overfill protection measures, the schedule for integrity testing and internal visual inspections, and the schedule or criteria for scheduling maintenance or reconstruction. This description must also include the size and contents of storage tanks, drum storage areas, and all other storage areas;

2. A description of any tank car or tank truck loading/unloading area, addressing all standards under N.J.A.C. 7:1E-2.3, and including the size of the largest compartment in any tank car or tank truck utilizing the area and the hazardous substances loaded or unloaded;

3. A description of the marking of in-facility pipes and procedures for minimizing the chance of a vehicular collision with overhead pipes, pursuant to N.J.A.C. 7:1E-2.4;

4. A description of all secondary containment or diversion systems, including their capacity and materials of construction and including those utilized for process areas, pursuant to N.J.A.C. 7:1E-2.6. This description can be included with the information required pursuant to (d)1 and 2 above, as appropriate;

5. A description of marine transfer areas, including materials transferred, booming operations pursuant to N.J.A.C. 7:1E-2.7, and the fixed and portable lighting in use in marine transfer areas pursuant to N.J.A.C. 7:1E-2.8;

6. A description of any flood hazard areas within the facility's boundaries, and any measures implemented to

protect hazardous substances from flood waters, pursuant to N.J.A.C. 7:1E-2.9;

7. A description of all leak detection or monitoring procedures, pursuant to N.J.A.C. 7:1E-2.10;

8. An outline of the housekeeping and maintenance program, pursuant to N.J.A.C. 7:1E-2.11;

9. An outline of the personnel training program and procedures for instructing contractors, pursuant to N.J.A.C. 7:1E-2.12;

10. A description of the physical security measures at the facility, pursuant to N.J.A.C. 7:1E-2.13;

11. A catalog list of all standard operating procedures that have been written pursuant to N.J.A.C. 7:1E-2.14; and

12. A description of the recordkeeping system employed by the facility, pursuant to N.J.A.C. 7:1E-2.15.

(e) The DPCC plan shall include a schedule, to be approved by the Department, for upgrading equipment or portions of the facility to meet the requirements of N.J.A.C. 7:1E-2, excluding N.J.A.C. 7:1E-2.2(a)4 and 2.2(a)5.

(f) The owner or operator shall maintain and make available for Department review, at either the facility or the Department's offices at the discretion of the Department, the following updated documentation including a catalog list of all such documents showing title, identification number and date of issue:

1. Facility inventory of hazardous substances;
2. Updated process flow and piping and instrumentation diagrams;
3. Standard operating procedures;
4. Facility emergency response plan;
5. Job classifications and job descriptions; and
6. Housekeeping and maintenance program procedures and records.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Recodified from 7:1E-4.3 and amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former section, "Registration of discharge cleanup organizations", repealed.

Administrative change.

See: 32 N.J.R. 1796(a).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (b)1, deleted reference to coordinate centroid; in (b)4, inserted N.J.A.C. reference in first sentence and deleted last sentence; and in (d)1 inserted reference to internal visual inspections.

7:1E-4.3 Discharge cleanup and removal plan

(a) The owner or operator of a major facility shall prepare and implement a DCR plan containing, at a minimum, the following information:

1. The name, title and 24-hour business telephone number of the facility's response coordinator or other person authorized to hire contractors and release funds for discharge response, containment, cleanup and removal. A response coordinator or alternate shall be available at all times;

2. The chain of command for an emergency response action;

3. Notification procedures, pursuant to N.J.A.C. 7:1E-5;

4. Provisions for annual emergency response drills to determine the currency and adequacy of, and personnel familiarity with, the emergency response action plan. This drill shall be critiqued in writing and that critique retained pursuant to the recordkeeping requirements at N.J.A.C. 7:1E-2.15. The drill shall be based on different scenarios from year to year in order to address all anticipated emergency response scenarios at the facility. When possible, this annual drill can be combined with other required emergency response drills;

5. A list of types and quantities of containment and removal equipment and materials to which the facility has access through ownership, contract or other means, including, but not limited to, vehicles, vessels, pumps, skimmers, booms, chemicals, and communications devices, and indicating if access is through ownership, contract or other means. A copy of all current contracts or agreements between the owner or operator and a discharge cleanup organization for emergency response service shall be maintained at the facility or with the facility's registered agent, as appropriate, and shall be available to the Department for review upon request;

6. A list of the trained personnel who are available to operate such equipment and a brief description of their qualifications, and whether personnel are employed at the facility or by a discharge cleanup organization. In lieu of supplying a list of names, the owner or operator may supply a list of job titles of employees who will be assigned to operate containment and removal equipment, and a statement of the minimum qualifications that will be required of each employee so assigned;

7. A deployment plan for personnel and equipment that includes:

i. On-site response measures;

ii. Identification of and protection and mitigation measures for off-site residential, environmentally sensitive, or other areas, prioritized based on use, seasonal sensitivity, or other relevant factors. The mapping required by N.J.A.C. 7:1E-4.2(b)5 and 6 may serve as the identification;

iii. Provisions for an environmental assessment of the impact of any discharge; and

iv. A certification, pursuant to N.J.A.C. 7:1E-4.11, by a marine biologist or aquatic biologist or ecologist or freshwater equivalent and ornithologist acceptable to the Department;

8. Procedures for determining the recycling or disposal options for hazardous substances or contaminated soil, debris, and so forth, gathered during cleanup and removal operations;

9. A copy of an agreement with the local emergency planning committee or committees that coordinates the emergency responses of the parties to the agreement; and

10. A copy of all financial responsibility documents required pursuant to N.J.A.C. 7:1E-4.4 in accordance with N.J.A.C. 7:1E-4.4(e) or Appendix B.

(b) Each major facility shall have available to it, by ownership or by arrangement with a discharge cleanup organization, adequate equipment and personnel to clean up any discharge that occurs at the facility.

Recodified from 7:1E-4.4 and amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former N.J.A.C. 7:1E-4.3, "Discharge prevention, containment and countermeasure plans", recodified to 7:1E-4.2.

Case Notes

Regulation provides for preconstruction review of major facilities. *GATX Terminals Corp. v. Dept. of Environmental Protection*, 173 N.J.Super. 531, 414 A.2d 980 (App.Div.1980), reversed 86 N.J. 46, 429 A.2d 355 (1981).

7:1E-4.4 Financial responsibility

(a) The owner or operator of a major facility shall demonstrate financial responsibility for cleanup and removal activities, and for the removal of any abandoned structure owned or operated, as the case may be, by the owner or operator.

(b) The owner or operator of a major facility shall demonstrate financial responsibility in the minimum amount of \$1 million per occurrence and \$2 million annual aggregate; provided, however, that if the owner or operator establishes to the satisfaction of the Department that a lesser amount will be sufficient to protect the environment and public health, safety and welfare, the Department may accept evidence of financial responsibility in such lesser amount. In determining the sufficiency of the amount of financial responsibility, the Department may consider factors including, without limitation, the nature and quantity of the hazardous substances which may be present at the facility, and the proximity and nature of environmentally sensitive areas located near the facility.

Recodified from 7:1E-4.6 and amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former N.J.A.C. 7:1E-4.5, "Financial responsibility", recodified to 7:1E-4.4.

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

Case Notes

While new major facilities must meet the standards of the discharge prevention regulations, existing facilities have a reasonable time to meet the standards. *GATX Terminals Corp. v. Dept. of Environmental Protection*, 86 N.J. 46, 429 A.2d 355 (1981).

7:1E-4.6 Approval and conditional approval of plans

(a) The Department shall act to approve or deny approval of a complete submission of a DPCC or DCR plan, pursuant to N.J.A.C. 7:1E-4.5, within 180 days of receipt, or no later than the date on which the new major facility is issued treatment works approvals pursuant to N.J.A.C. 7:14A-22 which are required as conditions precedent to lawful operation of the facility, whichever is longer.

(b) If the Department finds a plan to be incomplete, the owner or operator shall have 30 days within which to submit information to make the plan complete, unless the Department extends the time for good cause shown.

(c) The Department may conditionally approve a plan if the maps required pursuant to N.J.A.C. 7:1E-4.2(b)5 and 6 are incomplete or are not in the format prescribed by N.J.A.C. 7:1E-4.10. The Department shall grant such conditional approval if the Department determines that:

1. The plan otherwise satisfies all of the requirements of this subchapter; and
2. The owner or operator is making a good faith effort to provide complete, acceptable maps.

(d) The conditional approval under (c) above shall set forth a date on which the conditional approval will expire unless the owner or operator has provided maps which satisfy the requirements of N.J.A.C. 7:1E-4.10.

(e) The owner or operator shall demonstrate financial responsibility pursuant to N.J.A.C. 7:1E-4.4 by the time the Department acts to deny or approve a DPCC or DCR plan pursuant to (a) above. If the owner or operator demonstrates to the satisfaction of the Department that none of the methods of financial responsibility set forth in N.J.A.C. 7:1E-4.4 is practicable to him or her, and that a good faith effort has been made to secure financial responsibility in the full aggregate amount, the Department shall:

1. Conditionally approve the plan; or
2. Establish an alternate minimum amount of financial responsibility pursuant to N.J.A.C. 7:1E-4.4(b).

(f) A conditional approval under (e) above shall set forth a date on which the conditional approval will expire unless the owner or operator has demonstrated financial responsibility in compliance with the requirements of N.J.A.C. 7:1E-4.4.

(g) Implementation of the DPCC and DCR plans shall begin immediately upon receipt of the Department's approval.

(h) The Department may inspect major facilities prior to approving DPCC or DCR plans and at reasonable intervals thereafter in order to ascertain compliance with the plans.

(i) The major facility shall keep a copy of the approved or conditionally approved plan onsite at all times.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Recodified from 7:1E-4.7 and amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former N.J.A.C. 7:1E-4.6, "Preparation and submission of plans", recodified to 7:1E-4.5.

Case Notes

Comparison of regulation to similar federal regulations as basis for guidance in determining authority of Department of Environmental Protection. *GATX Terminals Corp. v. Dept. of Environmental Protection*, 86 N.J. 46, 429 A.2d 355 (1981).

7:1E-4.7 Denial or revocation of approval of DPCC or DCR plans or amendments

(a) The Department shall state in writing its reasons for denying or revoking approval of any DPCC or DCR plans or amendments thereto.

(b) The Department may revoke its approval of a DPCC or DCR plan if the owner or operator fails to comply with an approved schedule for bringing the facility's plan into compliance with the requirements of these rules, or submits to the Department false or willfully misleading information.

(c) If the Department denies or revokes approval of a plan, the owner or operator shall have 30 days within which to submit an acceptable plan.

(d) The owner or operator of a major facility who is aggrieved by any decision of the Department to deny or revoke approval of a DPCC or DCR plan or amendment thereto has the right to a hearing before the Department, pursuant to the procedure outlined in N.J.A.C. 7:1E-6.

Recodified from 7:1E-4.8 and amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former N.J.A.C. 7:1E-4.7, "Approval and conditional approval of plans", recodified to 7:1E-4.6.

7:1E-4.8 Amendment of plans by owners or operators

(a) Written notice of proposed new construction or installation, substantial modification or replacement of any aboveground storage tank, other aboveground enclosed storage space, any appurtenant structures, or leak detection or other monitoring, prevention, or safety systems or devices shall be provided to the Department at the address in N.J.A.C. 7:1E-4.5(h) at least 60 days prior to the commencement of construction, installation or modification. This provision does not apply to construction, installation or modification contained in a schedule for upgrading in an approved DPCC plan.

(b) Within 30 days of any change except those delineated in (e) below, the owner or operator of a major facility having an approved DPCC or DCR plan shall report to the Department at the address in N.J.A.C. 7:1E-4.5(h) any change in facility design, construction, operation or maintenance which will materially affect the facility's potential for discharges of hazardous substances or the substance of existing plans. The owner or operator shall amend the DPCC or DCR plan to reflect such changes, and shall certify the amendments pursuant to N.J.A.C. 7:1E-4.11, prior to submission to the Department for approval.

(c) The Department shall act to approve or deny approval of proposed amendments within 60 days.

(d) Amendments to DPCC or DCR plans shall be implemented promptly upon approval by the Department.

(e) Changes to the following information shall be reported to the Department at the address in N.J.A.C. 7:1E-4.5(h) within 30 days, but shall not be considered plan amendments subject to the certification and approval requirements of this section:

1. Name and mailing address of the facility, if the change is not the result of a change of ownership;
2. Facility and personnel telephone numbers;
3. Name and business address of the owner's or operator's registered agent;
4. Employee names that are included in the DPCC or DCR plan; and
5. New or revised financial responsibility documents.

Recodified from 7:1E-4.9 and amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former N.J.A.C. 7:1E-4.8, "Denial or revocation of approval of DPCC or DCR plans or amendments", recodified to 7:1E-4.7.

7:1E-4.9 Plan renewals

(a) At least once every three years following approval or conditional approval of the DPCC and DCR plans, the owner or operator shall renew the DPCC and DCR plans.

(b) One copy of the renewal shall be submitted to the Department at the address in N.J.A.C. 7:1E-4.5(h) at least 180 days prior to the expiration date of the DPCC and DCR plans. It shall consist of revised plans or a certification that the existing plans on file with the Department are current. A revised plan may be required at the time of renewal so as to incorporate into the plan all amendments adopted since the approval, conditional approval, or last renewal. Within 30 days of receipt of approval pursuant to N.J.A.C. 7:1E-4.6, a second copy of the approved renewal shall be submitted to the Department.

(c) Any change in an approved DPCC plan or DCR plan necessitated by amendments to this chapter shall be incorporated into the plan when the plan is renewed.

(d) General site plans and drainage and land use maps shall be revised to meet the digital standards contained in N.J.A.C. 7:1E-4.10 in accordance with the schedule set forth below:

1. Effective with renewal submittals required after November 15, 2000, all general site plans shall meet the standards in N.J.A.C. 7:1E-4.10.

2. Effective with renewal submittals required after January 1, 2003, all drainage and land use maps shall meet the standards contained in N.J.A.C. 7:1E-4.10.

(e) Renewals shall be accompanied by a list of discharges that have occurred at the facility since the plan approval, conditional approval, or renewal, whether those discharges were immediately reported to the Department pursuant to N.J.A.C. 7:1E-5.3 or not, consisting of the substance(s) discharged, the quantity(ies) discharged, the location(s) of the discharge(s) and the case number(s) for those discharges that were reported.

(f) All renewals shall be certified pursuant to N.J.A.C. 7:1E-4.11.

(g) Any DPCC or DCR plan which is not renewed within three years of the date of approval, conditional approval, or last renewal, shall be considered expired.

New Rule, R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Former N.J.A.C. 7:1E-4.9, "Amendment of plans by owners or operators", recodified to 7:1E-4.8.

Administrative change.

See: 32 N.J.R. 1796(a).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

Rewrote (d).

7:1E-4.10 Mapping criteria

(a) General site plans, required pursuant to N.J.A.C. 7:1E-4.2(b)4, shall be:

1. Drawn to a scale in the range of one inch equals 30 feet to one inch equals 200 feet, such that it is sufficient to delineate all items to be mapped and is appropriate to the size of the facility; and
2. Certified by a licensed land surveyor in accordance with N.J.S.A. 45:8-27 et seq. and N.J.A.C. 13:40.

(b) Drainage and land use maps, required pursuant to N.J.A.C. 7:1E-4.2(b)5, shall:

1. Employ current commercially available mylar or thophoto basemaps (quarterquads) or other comparable current basemaps at a scale equal to or larger than 1:12,000, such as 1:9,600;

2. Include the land area within 1,000 feet from the major facility's boundary. This boundary includes all lands owned or used by the owner or operator at a given location. The following categories of land use shall be included:

- i. Residential;
- ii. Transportation/communication/utilities;
- iii. Industrial and commercial complexes;
- iv. Industrial;
- v. Recreational land and parks;
- vi. Schools;
- vii. Hospitals and nursing care facilities;
- viii. Other urban lands not specified in (b)1i through vii above;
- ix. River channels;
- x. Lakes and ponds;
- xi. Reservoirs;
- xii. Bays and estuaries;
- xiii. Cranberry bogs;
- xiv. Coastal wetlands;
- xv. Interior wetlands;
- xvi. Agricultural land;
- xvii. Beaches;
- xviii. Extractive mining;
- xix. Other barren or altered lands;
- xx. Deciduous forest;
- xxi. Coniferous forest;
- xxii. Mixed forest; and
- xxiii. Brushland and shrubland;

3. Locate and label all arterial and collector sewers, storm sewers, catchment or containment systems or basins, diversion systems, and watercourses into which surface water run-off from the facility drains; and

4. Locate and label water supply wells and wellhead protection areas which have been delineated by the Department within 1,000 feet from the major facility's boundary, and monitoring wells owned or operated by the owner or operator at the facility.

(c) In addition to (a) or (b) above, general site plans, and drainage and land use maps, shall meet:

- 1. The standards contained in N.J.A.C. 7:1, Appendix A; or
- 2. All of the following:

i. Be prepared in a digital environment that is compatible with the Department's Geographic Information System. Compatible digital formats are delineated in N.J.A.C. 7:1, Appendix A;

ii. Contain at least four widely spaced reference points (tics) for which the geographic coordinates are known in New Jersey State Plane feet (North American Datum 1983); and

iii. Contain a legend block stating the name and affiliation of the preparer of the map, the scale or scales employed, and the sources of the data used.

(d) Topographical maps showing environmentally sensitive areas, required pursuant to N.J.A.C. 7:1E-4.2(b)6, shall:

1. Employ current commercially available mylar or orthophoto basemaps (quarterquads) or other comparable current basemaps at a scale equal to or larger than 1:12,000, such as 1:9,600;

2. Make all delineations on stable base mylar overlays registered to the basemaps, if required for clarity;

3. Not be so crowded as to obscure the clarity of the mapped information;

4. Have delineations made with a standard drafting or technical pen producing a line width of 0.01 inches, provided, however, that a greater line width of up to 0.05 inches may be used when necessary for emphasis. In all cases, the drafted lines and points shall bisect the feature as seen on the basemap and shall be accurate to within 50 feet of its location on the ground;

5. Accurately transfer mapped data from other sources to the basemaps;

6. Contain a legend block stating the name and affiliation of the preparer of the map, the scale or scales employed, and the sources of the data used;

7. Cover that area in which the major facility is located which is downgradient or topographically lower than the highest land point within the major facility and which could be affected by a discharge as delineated in (d)8 below;

8. Extend to the maximum area of potential impact, taking into account the sizes of the tanks, containers, or vessel compartments utilized by the facility, the loss of secondary containment, consideration of containment measures in addition to secondary containment, the dispersiveness of the hazardous substance, temperature extremes, average rainfall and stream flows, tidal cycles, prevailing winds, and potential threat to the environment. This area shall be the lesser of the following:

i. The distance and path an uncontrolled discharge would travel in 48 hours, including all floodprone areas around any surface water or wetlands features;

ii. The distance downstream from the facility at which the concentration of the hazardous substance would fall below EPA's Quality Criteria for Water issued by EPA's Office of Water Regulations and Standards, including all floodprone areas around any surface water or wetlands features; or

iii. Fifteen miles from the facility boundary, down-gradient along the path a discharge would follow, including all floodprone areas around any surface water or wetland features; and

9. Include, at a minimum, the following types of environmentally sensitive areas:

i. Environmentally sensitive areas for which information concerning the existence and location of the area, sufficient to allow for the location of the area on the topographical map, is available from any of the following:

(1) The Department;

(2) Other government agencies and published sources listed by the Department, which lists are available from the Department upon request; or

(3) A review and interpretation of the photo base-map;

ii. Without limiting the generality of the foregoing, the Department has determined that information from the sources listed in (d)9i(1), (2) and (3) above is available for wetlands and wetland transition areas; bay islands and barrier island corridors; dunes; and areas designated as wild, scenic, recreational or developed recreational rivers; and

iii. The environmentally sensitive areas listed in (d)9iii(1) through (4) below:

(1) Of the surface waters listed in N.J.A.C. 7:1E-1.8(a)1, large rivers, medium rivers, streams, creeks, ponds, lakes and canals;

(2) Of the sources of water supply listed in N.J.A.C. 7:1E-1.8(a)2, intakes and wells;

(3) Beaches, as listed in N.J.A.C. 7:1E-1.8(a)4;

(4) Of the breeding areas and migratory stopover areas listed in N.J.A.C. 7:1E-1.8(a)7 and 8, those which are known to the ornithologist who certifies the DCR plan under N.J.A.C. 7:1E-4.11(e).

(e) All maps required by N.J.A.C. 7:1E-4.2(b)4 and 5 shall be submitted in digital and paper copy form. The digital and one paper copy shall accompany the initial plan submission for approval.

(f) All maps required by N.J.A.C. 7:1E-4.2(b)6 shall be submitted in paper or mylar copy form. One paper or mylar copy shall accompany the initial plan submission for approval. The paper or mylar copy may be accompanied by the submission of the mapped information in a digital form, at the option of the person required to submit the map.

(g) An owner or operator may apply for an exemption from compliance with the mapping criteria set forth above.

1. The application shall be in writing and shall contain the following:

i. A copy of a written estimate of the cost of preparing the required maps in accordance with the criteria set forth in this section; and

ii. An affidavit, signed and sworn to by the person required to provide certifications pursuant to N.J.A.C. 7:1E-4.11(c), stating that the owner or operator is a small business and that incurring the cost of obtaining maps in compliance with this section would substantially impair the owner or operator's ability to continue as a going concern.

2. The owner or operator shall submit such certified financial statements as the Department requests.

3. The Department shall grant the exemption if it determines that the cost of obtaining maps in compliance with this section would be equal to or greater than 25 percent of the owner or operator's gross proceeds or retained earnings, as demonstrated by the financial statements submitted pursuant to (g)2 above.

4. The grant of the exemption shall set forth other mapping criteria for general site plans and may set forth other mapping criteria for drainage and land use maps, which the Department determines will satisfactorily serve the purposes of this subchapter. One such set of criteria for general site plans includes the scanning of the existing general site plan to produce a digital image for submission to the Department along with the facility's coordinate centroid in New Jersey State Plane feet (North American Datum 1983).

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).
Administrative change.
See: 32 N.J.R. 1796(a).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).
Rewrote section.

7:1E-4.11 Certifications

(a) Any person who submits summary test results, a plan, plan amendment, plan renewal, or confirmation report to the Department shall include, as an integral part of the summary test results, plan, plan amendment, plan renewal, or confirmation report, the following certification, signed by the highest ranking individual with overall responsibility for the information contained in the certified documents.

"I certify under penalty of law that the information provided in this document is, to the best of my knowledge, true, accurate and complete. I am aware that there are significant civil and criminal penalties, including the possibility of fines or imprisonment or both, for submitting false, inaccurate or incomplete information."

(b) In addition to the certification in (a) above, any person who submits a plan, plan amendment, plan renewal or transmission pipeline registration to the Department shall include, as an integral part of the plan, plan amendment, plan renewal or transmission pipeline registration, the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this plan and all attached documents and, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil and criminal penalties, including the possibility of fine or imprisonment or both, for submitting false, inaccurate or incomplete information."

(c) The additional certification in (b) above shall be signed by the ranking official, as follows:

1. For a corporation, a principal executive officer of at least the level of vice president;
2. For a partnership or sole proprietorship, a general partner or the proprietor, respectively;
3. For a municipality, the mayor or other official authorized by the local governing body to bind the municipality;
4. For a county, the county executive or other official authorized by the board of chosen freeholders to bind the county;
5. For the State, the agency head or person designated by the agency head; or
6. For any other public agency, a principal executive officer or other official authorized by the public agency's governing body to bind the public agency.

(d) Notwithstanding the provisions of (b) above, the certification contained in (a) above shall be the only certification required if the individual required in (a) above to sign the certification is the same individual required in (c) above to sign the additional certification.

(e) Any person submitting a DCR plan containing an environmentally sensitive areas protection plan, or submitting an amendment or renewal to the environmentally sensitive areas protection plan, shall include, as an integral part of the plan, plan amendment or plan renewal, a certification, signed by a marine biologist or aquatic biologist or ecologist or freshwater equivalent and an ornithologist stating that the environmentally sensitive areas protection plan

identifies those environmentally sensitive areas that could be affected by a discharge from this facility and the seasonal sensitivity of those areas, provides for protection from, and mitigation of, any potentially adverse impact on the identified areas, and for an environmental assessment in the event of a discharge.

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (a) certification wording, inserted "the possibility of" preceding "fines" in second sentence.

Case Notes

Comparison of regulation to similar federal regulations as basis for guidance in determining authority of Department of Environmental Protection. *GATX Terminals Corp. v. Dept. of Environmental Protection*, 86 N.J. 46, 429 A.2d 355 (1981).

SUBCHAPTER 5. DISCHARGE NOTIFICATION, RESPONSE AND REPORTING

7:1E-5.1 Scope

This subchapter prescribes the rules of the Department for notification and reporting of discharges of hazardous substances, the reporting of malfunctions of discharge detection systems, and response to discharges of hazardous substances. The following rules shall govern the procedures for notification of the Department, response to a discharge of a hazardous substance, and follow-up reporting.

7:1E-5.2 Notification of historical discharges

(a) All persons responsible for a discharge who know or suspect that a discharge has occurred prior to January 23, 1980, or who know or suspect that a discharge has occurred between January 23, 1980 and September 12, 1991, that was not required to be reported at that time, and who have not previously reported that discharge shall conduct a diligent inquiry and shall promptly upon completion of the diligent inquiry and discovery of a discharge notify the Department in writing of such discharge at the address given at N.J.A.C. 7:1E-5.8(f).

(b) All persons responsible for a discharge pursuant to (a) above who previously reported a discharge which occurred prior to January 23, 1980, or who know or suspect that a discharge has occurred between January 23, 1980 and September 12, 1991, that was not required to be reported at that time, shall promptly correct or supplement the prior notice to the Department if any of the information in the prior notice is determined to be false, misleading or inaccurate, or if additional relevant information is discovered which has not been previously reported to the Department.

(c) All persons responsible for a discharge who are required to make a notification pursuant to (a) or (b) above and who are subject to an investigation or cleanup action under any State or Federal law, may notify the Department of the discovery of a historical discharge as part of the periodic progress reports required during the investigation or cleanup if the discovery of the historical discharge is coincident with such investigation or cleanup.

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

7:1E-5.3 Discharge notification

(a) Except as delineated in (e) below, immediately after a discharge commences, any person or persons responsible for a discharge who knows or reasonably should know of the discharge, shall immediately notify the Department at (877) WARN DEP (927-6337). In the event that this number is inoperable, any person or persons responsible for a discharge shall immediately notify the State Police at (609) 882-2000.

(b) Notification received by the Department pursuant to (a) above within 15 minutes of the time that the person responsible for a discharge knew, or reasonably should have known, of the occurrence of a discharge shall be considered immediate. It shall be presumed that notification received by the Department more than 15 minutes after the person responsible for a discharge knew, or reasonably should have known, of the discharge is not immediate. The person responsible for the discharge may rebut this presumption by satisfying the requirement of N.J.A.C. 7:1E-5.6.

(c) Any notification performed by any person responsible for a discharge pursuant to (a) and (b) above shall include, but not be limited to, the following information.

1. The name, title, affiliation, address and telephone number of the person reporting the discharge;

2. The location of the discharge, with as much specificity as the Department requests, and in any event with sufficient specificity to enable the Department to direct its agents and employees and any other person to the discharge site, including:

i. For discharges from sites located on land, the name of the site, the street address, the municipality, and the county;

ii. For discharges on, under or into water, the name of the water body, location of the discharge with reference to a fixed point or points, and a description of the area which the discharge may reach.

3. The common name of the hazardous substance(s) discharged;

4. An estimate of the quantity of each hazardous substance discharged, including best estimates if the quantities are unknown;

5. The date and time at which the discharge began, the date and time at which the discharge was discovered, and, if the discharge has ended, the date and time at which it ended;

6. The actions such person proposes to take to contain, clean up and remove the hazardous substance(s) discharged;

7. The name and address of any person responsible for the discharge.

(d) A copy of the requirements in (c) above, printed in a conspicuous format, shall be displayed by the owner or operator of any vessel which is ordinarily docked in this State in a prominent place on the bridge or pilot house of any such vessel, and by the owner or operator or any onshore facility at any transfer areas and the operations center of any such facility.

(e) For the purposes of this section, a discharge which is not required to be reported under any other State or Federal statute, rule or regulation is not required to be reported to the Department pursuant to (a) above provided the discharge meets the conditions described in (e)1 or 3 below:

1. The discharge occurs at a facility for which a DPCC and DCR plan pursuant to N.J.A.C. 7:1E-4.6, or a Risk Management Plan pursuant to N.J.A.C. 7:31, or an Emergency Contingency Plan pursuant to N.J.A.C. 7:26-12 or a Response Plan pursuant to 40 CFR 112 has been approved; and

i. Has not entered any waters of the State or migrated off-site;

ii. Within 24 hours of when any person responsible for the discharge knows or reasonably should have known of the commencement of the discharge, is:

(1) Stopped and contained in conformance with the approved plan in (e)1 above; and

(2) Cleaned up and removed, including any contaminated soil, in accordance with the applicable State or Federal regulations for cleanup and remediation, including the storage and disposal of cleanup related materials; and

iii. The owner or operator of the facility documents his or her actions in accordance with N.J.A.C. 7:26E, and maintains, and makes available for Department review at either the facility or the Department's offices at the discretion of the Department, such records for three years from the date of the discharge.

2. If the owner or operator determines that all requirements of (e)1i and ii above cannot be met, the owner or operator shall notify the Department immediately upon making such a determination, but in any case, within 24 hours of when any person responsible for the discharge knows or reasonably should have known of the discharge.

3. The discharge of transformer fluid from a transformer which does not contain polychlorinated biphenyls in concentrations of 50 parts per million or greater which either occurs during a state of emergency declared by the Federal, State or local government, provided such discharges are reported to the Department within 24 hours of the termination of the state of emergency, or:

i. The discharge is less than 25 gallons;

ii. The discharge has not entered any waters of the State, or any storm drain leading to any waters of the State;

iii. Within 24 hours of when any person responsible for the discharge knows or reasonably should have known of the discharge, the discharge is cleaned up and removed in accordance with the applicable State or Federal regulations for cleanup and remediation, including the storage and disposal of cleanup related materials; and

iv. The person responsible for the discharge documents his or her actions in accordance with N.J.A.C. 7:26E, and maintains, and makes available for Department review at either the person's or the Department's offices at the discretion of the Department, such records for three years from the date of the discharge.

(f) The following conditions shall be met in order for any release of a hazardous substance consequent to a motor vehicle accident to be considered a leak not requiring notification pursuant to (a) above:

1. The hazardous substance has not entered any waters of the State, or any storm drain leading to any waters of the State;

2. The hazardous substance is contained on a paved roadway; and

3. Prior to its escape to lands or waters of the State, the hazardous substance is cleaned up and removed in accordance with the applicable State or federal regulations for cleanup and remediation, including storage and disposal of cleanup related materials.

Administrative correction to (a).

See: 24 N.J.R. 581(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (a), amended Department phone number and in (e)3, substituted "50" for "500" preceding "parts per million".

Case Notes

Commencing transfer operations of leaking gasoline in severe weather conditions that increased risk of discharge warranted civil administrative penalties. Department of Environmental Protection v. Stolt-Nielsen, 95 N.J.A.R.2d (EPE) 157.

7:1E-5.4 Notification of aircraft discharges

(a) In the case of a discharge of a hazardous substance used as fuel from an aircraft into the airspace over the lands or waters of New Jersey, any person responsible for a discharge shall notify the Department at (877) WARN DEP (927-6337). In the event that this number is inoperable, any person or persons responsible for a discharge shall immediately notify the State Police at (609) 882-2000.

(b) Any person responsible for a discharge who notifies the Department pursuant to (a) above shall report:

1. The person causing the discharge;

2. The amount of hazardous substance discharged;

3. The time the discharge occurred;

4. The location in the aircraft flight path of the discharge;

5. The wind speed and direction; and

6. The area likely to be affected by the discharge.

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (a), amended Department phone number.

7:1E-5.5 Notification of malfunctions in discharge detection systems

(a) The owner or operator of a major facility shall immediately notify the Department at (877) WARN DEP (927-6337) of any malfunction of a discharge detection or other discharge monitoring, prevention or safety system or device. In the event that this number is inoperable, any owner or operator of a major facility shall immediately notify the State Police at (609) 882-2000.

(b) Notification received by the Department pursuant to (a) above within 15 minutes of the time that the owner or operator knew, or reasonably should have known, of the occurrence of a malfunction shall be considered immediate. It shall be presumed that notification received by the Department more than 15 minutes after the owner or operator knew, or reasonably should have known, of the malfunction is not immediate. The owner or operator may rebut this presumption by satisfying the requirements of N.J.A.C. 7:1E-5.6.

(c) Within two hours of the initial notification, the owner or operator of a major facility shall notify the Department that one of the following situations exists:

1. The malfunction has been repaired;

2. An alternate discharge detection system has been activated for the equipment utilizing the malfunctioning system; or

3. The equipment protected by the discharge detection system has been taken out of service.

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (a), amended Department phone number.

7:1E-5.6 Justification of delay

(a) The Department, at its discretion, may determine that a period of longer than 15 minutes for initiating the notification of the Department of a discharge is immediate if the person responsible for the discharge can show, by clear and convincing evidence, that the notification of the Department was initiated as soon as possible or reasonable and that notification within 15 minutes was impossible or unreasonable because of:

1. Essential immediate response activities;
2. The circumstances under which the discharge occurred;
3. The circumstances under which the discharge was first discovered; or
4. Some other valid cause or reason.

(b) A person who does not initiate the notification of the Department of a discharge within 15 minutes and who desires to establish that the notification was as immediate as reasonably possible under the circumstances in which the discharge occurred, shall submit a sworn affidavit so attesting with the written confirmation report required by N.J.A.C. 7:1E-5.8. This affidavit shall set forth the circumstances of the discharge to establish that the notification of the Department was as immediate as reasonably possible under the circumstances in which the discharge occurred. The affidavit shall be signed by the person or persons required to sign any certifications pursuant to N.J.A.C. 7:1E-4.11, and shall include, but not be limited to, the following information:

1. The address of the facility at which the discharge occurred;
2. The date and time at which the discharge began and the date and time at which it ceased;
3. The name, job title, affiliation, business telephone number and business address of the individual who first discovered the discharge;
4. The date, the time, and the circumstances under which the discharge was first discovered;
5. The reason(s), if any, why the discharge was not immediately discovered;
6. The date and time which the discharge was first reported to the Department;
7. The name, business telephone number, and business address of the individual who first notified the Department of the discharge;

8. Any reason why initiation of notification of the Department within 15 minutes of the onset of the discharge was impossible or unreasonable; and

9. A demonstration that initiation of notification was carried out as soon as possible or reasonable.

7:1E-5.7 Discharge response

(a) Any person responsible for a discharge shall take immediate action to stop the discharge and shall take all necessary and appropriate measures to contain, mitigate, cleanup and remove the discharge, or shall follow the action plan in the facility's approved DCR plan, prepared and implemented in accordance with N.J.A.C. 7:1E-4. All persons shall coordinate such actions with the Department.

(b) No person shall apply chemicals to a discharge without the prior approval of the Department or the Federal on-scene coordinator under the National Contingency Plan pursuant to 40 CFR 300, unless such application is necessary to prevent or mitigate a situation that poses a serious and imminent threat to human life. In any such situation of imminent threat to human life, the owner or operator shall make reasonable efforts to secure the approval of the Department or the Federal on-scene coordinator before applying chemicals. Approval to apply chemicals may be obtained verbally, including by telephone. Application of chemicals pursuant to a DCR plan approved by the Department shall be deemed to have prior approval. Unauthorized use of chemicals shall be regarded as a discharge in violation of N.J.A.C. 7:1E-1.11.

(c) Upon learning that a discharge of a hazardous substance has occurred, the Department may act to contain, mitigate, clean up and remove the discharge, unless it determines that such action will be done properly and expeditiously by the person responsible for the discharge, or by any other authorized person.

(d) The Department, at its discretion, may observe, supervise or participate in any aspect of containment, or cleanup and removal activities. In the exercise of its supervisory power, the Department may order any person to cease cleanup and removal activities and other discharge-related operations if it determines that the person is not capable of properly containing, cleaning up or removing a discharge, or if the Department determines that person is failing to conduct cleanup operations in a proper and expeditious manner.

Case Note

Coverage under policy for damages insured became "legally obligated to pay" extended to costs of cleaning up environmental contamination for which Spill Compensation and Control Act imposed liability, even before issuance of agency directive or commencement of lawsuit making insured liable for those costs. *Metex Corp. v. Federal Ins. Co.*, 290 N.J. Super. 95, 675 A.2d 220 (A.D.1996).

7:1E-5.8 Confirmation report and recordkeeping

(a) Any owner or operator of a transmission pipeline or of a major facility who has notified the Department of a discharge from a regulated portion of the transmission pipeline or from a regulated portion of the major facility pursuant to N.J.A.C. 7:1E-5.3 shall send to the Department a written confirmation report within 30 days of said notification.

(b) Any person responsible for a discharge who is not the owner or operator of a major facility or transmission pipeline, or who has experienced a discharge from a non-regulated portion of a major facility or transmission pipeline, and who has notified the Department pursuant to N.J.A.C. 7:1E-5.3, shall keep records of the cleanup and removal actions taken in accordance with the requirements of N.J.A.C. 7:26E, Technical Requirements for Site Remediation.

(c) Any person required to submit a confirmation report pursuant to (a) above shall include the following in the confirmation report:

1. The name, address and telephone number of the individual that reported the discharge pursuant to N.J.A.C. 7:1E-5.3;

2. The name, address and telephone number of the individual submitting the confirmation report if different from the individual identified in (c)1 above, and the relationship between said persons, such as employer-employee, or contractor-client;

3. The name, address and telephone number of each owner and operator of the facility at which the discharge occurred, or the vessel or vehicle from which the discharge occurred;

4. The source of the discharge, if known;

5. The location of the discharge, as follows:

- i. For a discharge from sites located on land, the name of the site, the street address, the tax lot and block, the municipality, the county, and comma-delimited State Plane coordinates of the point of discharge;

- ii. For discharges on, under or into water, the name of the water body, and comma-delimited State Plane coordinates of the place the discharge originated; and

- iii. For all discharges that affect areas not under the control of the owner or operator, a map of the area affected by the discharge;

6. A list of the common name and Chemical Abstract Service number of each of the hazardous substances discharged;

7. A list of the quantities of each hazardous substance discharged, including best estimates if the quantities are unknown;

8. The date and time at which the discharge began, the date and time at which the discharge was discovered, the date and time at which the discharge ended, and the date and time at which the Department was notified pursuant to N.J.A.C. 7:1E-5.3;

9. A description of the measures taken to contain, clean up and remove the discharge, and a summary of costs incurred;

10. Corrective or preventive measures taken or proposed to minimize the possibility of recurrence;

11. The name, addresses and telephone numbers of all entities involved in containment, cleanup or removal of the discharge;

12. A description of samples taken at or around the site of the discharge, whether before, during or after any containment, cleanup or removal. The samples shall be taken and analyzed in accordance with N.J.A.C. 7:26E-2. Records of the results shall be kept on-site and made available for Department review, at either the facility or the Department's offices at the discretion of the Department;

13. A certification stating that financial responsibility demonstrated pursuant to N.J.A.C. 7:1E-4.4 and submitted to the Department pursuant to N.J.A.C. 7:1E-4.3(a)10 is in full force and effect;

14. Information supplementing any information previously provided to the Department if additional relevant information is discovered, or if it is determined that the information previously provided was false, inaccurate or misleading;

15. Any other information concerning the discharge which the Department may request; and

16. A fully executed certification pursuant to N.J.A.C. 7:1E-4.11.

(d) Any person required to submit a confirmation report pursuant to (a) above shall promptly notify the Department in writing of any additional or corrected information which becomes available after the submission of a confirmation report, within 10 days of the availability of that information. Such information shall reference the date, title and author of the confirmation report which is being supplemented.

(e) Any person required to submit a confirmation report for a discharge at a major facility or transmission pipeline shall submit the confirmation report to:

Bureau of Discharge Prevention
New Jersey Department of Environmental Protection
PO Box 424
Trenton, New Jersey 08625-0424
Attention: Discharge Confirmation Report

(f) Any person required to submit a written report pursuant to N.J.A.C. 7:1E-5.2 shall submit the report to:

Site Remediation Program
Discharge Response Element
New Jersey Department of Environmental Protection
401 East State Street
PO Box 028
Trenton, New Jersey 08625-0028
Attention: Discharge Confirmation Report

Amended by R.1996 d.252, effective June 3, 1996.

See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).

Amended by R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Administrative change.

See: 32 N.J.R. 1796(a).

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (c)5iii, deleted N.J.A.C. reference and in (c)13, amended N.J.A.C. references.

Case Notes

Commencing transfer operations of leaking gasoline in severe weather conditions that increased risk of discharge warranted civil administrative penalties. *Department of Environmental Protection v. Stolt-Nielsen*, 95 N.J.A.R.2d (EPE) 157.

7:1E-5.9 Reporting responsibilities of the Department

(a) Upon obtaining any information which leads it to suspect that a discharge has occurred in a municipality's jurisdiction, the Department shall immediately notify orally the contact persons for the governing body of the municipality and the local board of health as specified in (b) below, unless these entities have been notified previously.

(b) The governing body of the municipality and the local board of health shall provide the Department with the name, address and telephone number of a 24 hour contact point and an alternate 24 hour contact point. The governing body of the municipality and the local board of health may change the contact point and alternate contact point upon written notice to the Department. If a contact point and an alternate contact point are not specified, the local police department or local fire department shall be the points designated by the Department to receive notification pursuant to (a) above.

(c) Within 10 days of the initial oral notification required by (a) above, the Department shall issue a letter confirming and, if appropriate, expanding upon that initial oral notification.

(d) The Department shall take appropriate action to verify that a discharge has occurred as suspected, including the authorization of agent(s) or officer(s) of the municipality or local board of health by an appropriate Department official to investigate the site of the suspected discharge. Such investigation shall include conducting visual assessment of the site of the discharge and contacting any persons potentially responsible for the discharge.

(e) The agent(s) or officer(s) of the municipality shall report all findings to the Department.

7:1E-5.10 Discharge reporting requirements of local officials

(a) When any governing body of a municipality or local board of health obtains information which leads it to suspect that a discharge has occurred, the governing body or local board of health shall immediately notify, as specified in (b) below, the Department, unless the Department has already been notified of the discharge.

(b) The governing body or local board of health shall provide the Department with information regarding any discharge pursuant to (a) above in the format specified at N.J.A.C. 7:1E-5.3(a).

(c) The local governing body and the local board of health shall coordinate all responses to the discharge with the Department.

7:1E-5.11 Amendment of plans following a discharge

(a) Following submission of a confirmation report pursuant to N.J.A.C. 7:1E-5.8, the Department may review a facility's DPCC and DCR plans and may require the owner or operator of the facility to amend the plans if it finds that a plan does not meet the requirements of this chapter or that amendment of the plan is necessary to prevent and contain similar discharges.

(b) Amendments required by the Department shall become part of the DPCC or DCR plan within 30 days after approval by the Department, unless the Department specifies another effective date. The owner or operator shall implement the amendment of the plan as soon as possible, in accordance with a schedule submitted by the owner or operator and approved by the Department.

SUBCHAPTER 6. CIVIL ADMINISTRATIVE PENALTIES AND REQUESTS FOR ADJUDICATORY HEARINGS

Subchapter Historical Note

Petition for Rulemaking: Notice of Receipt of and Action on a Petition for Rulemaking. See: 28 N.J.R. 5499(a), 29 N.J.R. 704(a).

7:1E-6.1 Scope

This subchapter shall govern the Department's assessment of civil administrative penalties for violation of any provision of the Act, including any rule, regulation, plan, information request, access request, order or directive promulgated or issued pursuant to the Act. This subchapter shall also govern the procedures for requesting an adjudicatory hearing on a notice of civil administrative penalty assessment, an administrative order, conditions of approval for any plan, or amendment to a plan, or a denial or revocation of approval of a plan or amendment to a plan required under the Act.

2. Up to \$35,000 for the second offense; and
3. Up to \$50,000 for the third and each subsequent offense.

(b) The Department may, in its discretion, set the amount determined pursuant to (a) above to assess a civil administrative penalty on the basis of the following factors:

1. The compliance history of the violator;
2. The number, frequency and severity of the offense(s);
3. The measures taken by the violator to mitigate the effects of the current offense and to prevent future offenses;
4. The deterrent effect of the penalty; or
5. Other specific circumstances of the violator or offense.

7:1E-6.6 Civil administrative penalty for submitting inaccurate or false information

(a) The Department may assess a civil administrative penalty against each violator who submits inaccurate information or who makes a false statement, representation, or certification in any DPCC plan, DCR plan, registration, record, or other document submitted or maintained, or who falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Act or any rule, regulation, plan, order or directive pursuant thereto.

(b) Each time the violator submits inaccurate or false information to the Department shall be an additional, separate, and distinct offense.

(c) The Department shall determine the amount of the civil administrative penalty for offenses described in this section based on the conduct of the violator as follows:

1. For each intentional, deliberate, purposeful, knowing or willful act or omission by the violator, the civil administrative penalty, for each act or omission, is up to \$20,000 for the first offense, up to \$40,000 for the second offense, and up to \$50,000 for the third and each subsequent offense; and
2. For all other conduct, the civil administrative penalty, for each act or omission, is up to \$1,000 for the first offense, up to \$2,000 for the second offense, and up to \$5,000 for the third and each subsequent offense.

7:1E-6.7 Civil administrative penalty for failure to allow lawful entry and inspection

(a) The Department may assess a civil administrative penalty against each violator who refuses, inhibits or prohibits immediate lawful entry and inspection of any premises, building, vessel or place, except private residences, by an authorized Department representative.

(b) Each day that a violator refuses, inhibits or prohibits immediate lawful entry and inspection of any premises, building, or place, except private residences, by an authorized Department representative, shall be an additional, separate and distinct offense.

(c) The amount of the civil administrative penalty for offenses described in this section is up to \$10,000 for the first offense, up to \$20,000 for the second offense, and up to \$50,000 for the third and each subsequent offense.

7:1E-6.8 Civil administrative penalties for violations of rules adopted pursuant to the Act

(a) Civil administrative penalties for offenses described in (c)2 and 4 below shall not be assessed until the time allotted under the applicable schedule for upgrading approved by the Department has expired.

(b) Civil administrative penalties for offenses described in (c)2 and 4 below shall apply to major facilities only. All other civil administrative penalties shall apply to all persons.

(c) The Department shall determine the amount of the civil administrative penalty for offenses described in this section on the basis of the provision violated and the frequency of the violation. The number of each of the following paragraphs corresponds to the number of the corresponding subchapter in N.J.A.C. 7:1E.

1. The violations of N.J.A.C. 7:1E-1, General Provisions, and the civil administrative penalties for each violation are as set forth in the following table, unless modified by (d) below. In no case shall the assessed penalty be less than zero or more than the statutory limit.

2. The violations of N.J.A.C. 7:1E-2, Prevention and Control of Discharges at Major Facilities, and the civil administrative penalty amounts for each violation are as set forth in the following table, unless revised pursuant to (d) below:

Citation

N.J.A.C. 7:1E-1.11(a)

Base Penalty for each Violation

<u>Gallons</u>	<u>Penalty</u>
>0-9	\$ 500
10-55	\$ 1,000
56-499	\$ 2,000
500-999	\$ 3,000
1,000-4,999	\$ 5,000
5,000-9,999	\$ 7,500
10,000-19,999	\$ 10,000
20,000-29,999	\$ 15,000
30,000-39,999	\$ 20,000
40,000-49,999	\$ 25,000
50,000-59,999	\$ 30,000
60,000-69,999	\$ 35,000
70,000-79,999	\$ 40,000
80,000-89,999	\$ 45,000

Gallons	Penalty
90,000–99,999	\$ 50,000
100,000–149,999	\$ 75,000
150,000–199,999	\$ 100,000
200,000–299,999	\$ 200,000
300,000–399,999	\$ 400,000
400,000–499,999	\$ 800,000
500,000–599,999	\$ 1,000,000
600,000–699,999	\$ 2,000,000
700,000–799,999	\$ 3,000,000
800,000–899,999	\$ 4,000,000
900,000–999,999	\$ 5,000,000
1,000,000–1,999,999	\$ 6,000,000
2,000,000–2,999,999	\$ 7,000,000
3,000,000–3,999,999	\$ 8,000,000
4,000,000–4,999,999	\$ 9,000,000
5 million or greater	\$ 10,000,000

The base penalty may be reduced or increased by applying the following factors ¹:

Cause of Discharge

Intentional or Gross Negligence	—50% increase from base
Accidental	—50% reduction from base
Homeowner	—75% reduction from base

Gallons	Penalty
Initiate Response to Discharge (from the time the discharge was detected or should have been detected):	
Over 2 hours	—20% increase from base
Within 2 hours	—No change from base
Within 1 hour	—20% reduction from base
Within 15 minutes	—40% reduction from base

Area of Impact:

Into waters of the State	—30% increase from base
Off the facility but not into waters of the State	—No change from base
Contained on the facility but not into waters of the State	—30% reduction from base

Discharge History (Number of discharges not contained on the facility within the previous 12 months):

Five or more discharges	—100% increase from base
1–4 discharges	—50% increase from base
Zero discharges	—No change from base

¹ The penalty for each violation is calculated by summing the base penalty and the resultant percentage of the base penalty for each of the applicable factors.

Category of Offense ²	Citation	First Offense	Second Offense	Third or Subsequent Offense
No secondary containment for an aboveground storage tank	2.2(a)1	\$10,000	\$20,000	\$50,000
Failure to surface the base underlying a storage tank with impermeable material	2.2(a)2	\$ 5,000	\$10,000	\$25,000
Failure to equip a pipe with remotely activated or readily accessible valves	2.2(a)3	\$ 2,000	\$ 4,000	\$10,000
Failure to perform initial integrity testing or static head product testing	2.2(a)4, 6			
Size of Tank (gallons)		Penalty assessed on a per tank basis		
2,001–10,000		\$ 250	\$ 500	\$ 1,250
10,001–20,000		\$ 500	\$ 1,000	\$ 2,500
20,001–50,000		\$ 1,250	\$ 2,500	\$ 6,250
50,001–100,000		\$ 2,500	\$ 5,000	\$12,500
100,001–200,000		\$ 5,000	\$10,000	\$25,000
200,001–300,000		\$ 7,500	\$15,000	\$37,500
300,001 and greater		\$10,000	\$20,000	\$50,000
Failure to perform subsequent integrity testing	2.2(a)4	\$ 2,000	\$ 4,000	\$10,000
Failure to perform internal inspections	2.2(a)4	\$ 2,000	\$ 4,000	\$10,000
Failure to submit summary test results	2.2(a)5	\$ 1,000	\$ 2,000	\$ 5,000
Failure to take a tank out of service following a failed integrity test or inspection	2.2(a)7	\$10,000	\$20,000	\$50,000
Improper design of heating coil system	2.2(c)	\$ 2,000	\$ 4,000	\$10,000
Failure to equip storage tanks with devices capable of detecting overfills and initiating shutdown mechanisms	2.2(d)	\$ 5,000	\$10,000	\$25,000
Failure to equip storage tanks with redundant overfill mechanisms	2.2(d)1, 2, 3	\$ 5,000	\$10,000	\$25,000
Failure to attend storage tanks of 2,000 gallons or less during filling	2.2(e)	\$ 2,000	\$ 4,000	\$10,000
Failure to direct overfill lines into appropriate holding areas	2.2(f)	\$10,000	\$20,000	\$50,000
Failure to locate mobile or portable storage tanks in areas protected by secondary containment	2.2(g)	\$ 5,000	\$10,000	\$25,000
Location of mobile or portable	2.2(g)	\$10,000	\$20,000	\$50,000

Category of Offense ²	Citation	First Offense	Second Offense	Third or Subsequent Offense
storage tanks in areas subject to flooding or washout				
Failure to equip drum storage areas with adequate secondary containment	2.2(h)	\$10,000	\$20,000	\$50,000
Failure to equip a tank car or tank truck loading/unloading area with secondary containment	2.3(a)	\$10,000	\$20,000	\$50,000
Failure to inspect the lowermost drain and all outlets of a tank car or tank truck prior to filling	2.3(b)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to examine for leakage during filling and secure valves on all manifolds of a tank car or tank truck prior to departure	2.3(c)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to provide a physical barrier, brake interlock or similar system	2.3(d)	\$ 5,000	\$10,000	\$25,000
Failure to attend a tank car or tank truck	2.3(e)	\$ 5,000	\$10,000	\$25,000
Failure to properly mark in-facility pipes	2.4(a)	\$ 5,000	\$10,000	\$25,000
Failure to double wall or have adequate secondary containment and a leak detention device for new buried in-facility pipes	2.4(b)	\$ 5,000	\$10,000	\$25,000
Failure to equip existing in-facility buried pipe with leak detection devices	2.4(c)	\$ 5,000	\$10,000	\$25,000
Failure to make necessary repairs, upgrades or replacements to exposed in-facility pipe	2.4(d)	\$10,000	\$20,000	\$50,000
Failure to cap, blank-flange or physically remove in-facility pipe removed from service	2.4(e)	\$10,000	\$20,000	\$50,000
Improper design of pipe supports	2.4(f)	\$ 2,000	\$ 4,000	\$10,000
Failure to minimize the chance of vehicular collision with in-facility pipe	2.4(g)	\$ 2,000	\$ 4,000	\$10,000
Failure to provide secondary containment for process areas	2.5(a)	\$10,000	\$20,000	\$50,000
Failure to provide for a hazardous substance which drained into process wastewater lines	2.5(b)	\$ 2,000	\$ 4,000	\$10,000
Inadequate or improper secondary containment	2.6(a), (c)	\$ 5,000	\$10,000	\$25,000
Failure to maintain adequate containment devices	2.6(d)	\$10,000	\$20,000	\$50,000
	2.7(b), (c)			
Failure to deploy or maintain a containment device on standby when required	2.7(d), (e)	\$10,000	\$20,000	\$25,000
Failure to properly deploy a containment device	2.7(f), (g), (h)	\$ 5,000	\$10,000	\$25,000
Commencement or continuation of transfer operations during unaccepta- ble conditions	2.7(i)	\$15,000	\$30,000	\$50,000
Failure to properly clean up and remove a discharge prior to removing a containment device	2.7(j)	\$20,000	\$40,000	\$50,000
Failure to retrieve a containment device	2.7(k)	\$ 5,000	\$10,000	\$25,000
Improper or inadequate illumination	2.8	\$ 5,000	\$10,000	\$25,000
Failure to protect a hazardous substance from being carried off or discharged into flood waters	2.9	\$10,000	\$20,000	\$50,000
Failure to conduct visual inspections	2.10(a)	\$ 2,000	\$ 4,000	\$10,000
Failure to keep documentation of visual inspections	2.10(b)	\$ 250	\$ 500	\$ 1,250
Failure to implement a groundwater monitoring program	2.10(c)	\$10,000	\$20,000	\$50,000
Failure to keep hazardous substances in suitable containers, or protect them from the elements and the possibility of leakage	2.11(a)	\$10,000	\$20,000	\$50,000
Failure to repair, replace or take out of service any leaking equipment	2.11(b)	\$ 5,000	\$10,000	\$25,000
Failure to clean up a leak of a hazardous substance	2.11(c)	\$ 5,000	\$10,000	\$25,000
Failure to clean up a discharge of a hazardous substance	2.11(c)	\$10,000	\$20,000	\$50,000
Failure to keep adequate quantities of cleanup materials on hand	2.11(d)	\$ 2,000	\$ 4,000	\$10,000
Failure to maintain a supply of safety equipment	2.11(e)	\$ 2,000	\$ 4,000	\$10,000
Failure to maintain secondary containment or diversion systems in good repair	2.11(f)	\$10,000	\$20,000	\$50,000
Failure to implement a training program	2.12(a)	\$10,000	\$20,000	\$50,000
Inadequate training program	2.12(b),(c),(d)	\$ 2,000	\$ 4,000	\$10,000
Failure to specify qualification of trainers	2.12(e)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to keep documentation of all training	2.12(f)	\$ 250	\$ 500	\$ 1,250
Failure to have procedures to ensure training of employees of outside contractors	2.12(g)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to provide adequate security or to follow security procedures	2.13	\$ 5,000	\$10,000	\$25,000
Failure to establish standard operating procedures (SOPs)	2.14(a)	\$ 250	\$ 500	\$ 1,250
Penalty assessed per SOP				
Failure to make copies of the SOPs or	2.14(a), (b), (c)	\$ 250	\$ 500	\$ 1,250
MSDS or fact sheets in all appropriate				

<u>Category of Offense²</u>	<u>Citation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third or Subsequent Offense</u>
languages readily available Inadequate SOPs	2.14(d), (e)	\$ 250	\$ 500	\$ 1,250
Failure to incorporate modifications of procedures into the SOPs prior to implementation	2.14(g)	\$ 250	\$ 500	\$ 1,250
Failure to maintain and make available a current index of SOPs	2.14(h)	\$ 250	\$ 500	\$ 1,250
Failure to maintain required records	2.15	\$ 250	\$ 500	\$ 1,250

3. The violations of N.J.A.C. 7:1E-3, Transmission Pipelines, and the civil administrative penalty amounts for each violation, are as set forth in the following table, unless modified pursuant to (d) below:

<u>Category of Offense²</u>	<u>Citation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third or Subsequent Offense</u>
Failure to register	3.2(a)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to report a change in information	3.2(b)	\$ 100	\$ 200	\$ 500
Failure to conform to 49 CFR 195	3.3	\$ 2,000	\$ 4,000	\$10,000
Failure to submit the required information	3.4	\$ 1,000	\$ 2,000	\$ 5,000

4. The violations of N.J.A.C. 7:1E-4, Plans, and the civil administrative penalty amounts for each violation, are as set forth in the following table, unless modified pursuant to (d) below:

<u>Category of Offense²</u>	<u>Citation</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third or Subsequent Offense</u>
Failure to appoint a response coordinator	4.2(a)	\$1,000	\$ 2,000	\$ 5,000
Failure to maintain on-site and make available any required plans or documentation	4.2(f)	\$1,000	\$ 2,000	\$ 5,000
Failure to have adequate cleanup and personnel available	4.3(b)	\$5,000	\$10,000	\$25,000
Failure to demonstrate financial responsibility	4.4(a),(b)	\$ 5,000	\$10,000	\$25,000
Failure to notify of bankruptcy commencement	4.4(o)	\$ 250	\$ 500	\$ 1,250
Failure to submit a DPCC and DCR plan DPCC/DCR Plan due by:	4.5(a),(b)			
August 1, 1994	4.5(b)6	\$ 2,000	\$ 4,000	\$10,000
February 1, 1994	4.5(b)5	\$ 4,000	\$ 8,000	\$20,000
August 1, 1993	4.5(b)4	\$ 6,000	\$12,000	\$30,000
February 1, 1992	4.5(b)1	\$ 8,000	\$16,000	\$40,000
August 1, 1992	4.5(b)2	\$10,000	\$20,000	\$50,000
February 1, 1993	4.5(b)3	\$12,000	\$24,000	\$50,000
Failure to submit a DPCC and DCR plan for a new or newly designated major facility	4.5(c), (d)	\$6,000	\$12,000	\$30,000
Failure to submit information when requested by the Department	4.5(g)	\$1,000	\$ 2,000	\$ 5,000
Failure to submit copy of approved plan	4.5(h)	\$ 250	\$ 500	\$ 1,250
Failure to maintain a copy of the plan on-site	4.6(i)	\$ 250	\$ 500	\$ 1,000
Failure to resubmit an acceptable plan	4.7(c)	\$5,000	\$10,000	\$25,000
Failure to provide notice of new construction, installation or modifica- tion	4.8(a)	\$ 1,000	\$ 4,000	\$ 5,000
Failure to submit an amendment	4.8(b)	\$2,000	\$ 4,000	\$10,000
Failure to submit information changes	4.8(e)	\$ 500	\$ 1,000	\$ 3,000
Failure to renew DPCC/DCR Plans	4.9	\$1,000	\$ 2,000	\$ 5,000
Failure to provide any required certification	4.11	\$2,000	\$ 4,000	\$10,000

5. The violations of N.J.A.C. 7:1E-5, Notification, Response and Reporting, and the civil administrative

penalty amounts for each violation, are as set forth in the following table, unless modified pursuant to (d) below:

Category of Offense ²	Citation	First Offense	Second Offense	Third or Subsequent Offense
Failure to promptly notify the Department of a discharge	5.2(a)	\$ 5,000	\$10,000	\$25,000
Failure to notify the Department of a discharge	5.3(a)	\$ 5,000	\$10,000	\$25,000
Notification not immediate	5.3(b), 5.5(b)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to provide all required information upon notification	5.2(b), 5.3(c), 5.4(b)	\$ 250	\$ 500	\$ 1,250
Failure to prominently display notification requirements	5.3(d)	\$ 500	\$ 1,000	\$ 2,500
Failure to maintain documentation	5.3(e)1, 3, 5.8(b)	\$ 2,000	\$ 4,000	\$10,000
Failure to notify the Department within 24 hours	5.3(e)2	\$ 5,000	\$10,000	\$25,000
Failure to notify the Department of a discharge of aircraft fuel	5.4(a)	\$ 3,000	\$ 6,000	\$15,000
Failure to notify the Department of a malfunction in a discharge detection system	5.5(a)	\$ 2,000	\$ 4,000	\$10,000
Failure to notify the Department of the status of a malfunctioning discharge detection system	5.5(c)	\$ 1,000	\$ 2,000	\$ 5,000
Failure to attempt to stop and contain a discharge or to follow the DCR action plan	5.7(a)	\$20,000	\$40,000	\$50,000
Failure to submit a confirmation report	5.8(a)	\$ 2,000	\$ 4,000	\$10,000
Failure to include all required information in a confirmation report	5.8 (c), (d)	\$ 250	\$ 500	\$ 1,250
Failure to coordinate any remedial action with the Department	5.7(a)	\$ 5,000	\$10,000	\$25,000
Failure to file a requested amendment following a discharge	5.11(a)	\$ 2,000	\$ 4,000	\$10,000

²The column headed "Category of Offense" is descriptive in nature and to be used for easy reference only. The rule language cited in the column headed "Citation" shall determine the specific violation.

(d) The Department may modify the amount of a civil administrative penalty under (c) above, based upon any or all of the following:

1. Mitigating or extenuating circumstances;
2. The implementation of prevention measures in addition to those minimally required by applicable statute or rule;
3. The full payment by the violator of a specified part of the civil administrative penalty assessed if made within a time period established by the Department in an administrative order or notice of civil administrative penalty assessment and provided that the violator waives the right to request an adjudicatory hearing on the civil administrative penalty; or
4. Any other circumstances or conditions acceptable to the Department.

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

In (b), deleted ", exclusive of registration requirements"; and in (c), rewrote the tables in 2, 4 and 5.

SUBCHAPTER 7. CONFIDENTIALITY CLAIMS

Source and Effective Date

R.1992 d.186, effective April 20, 1992.
See: 23 N.J.R. 2848(a), 24 N.J.R. 1484(a).

7:1E-7.1 Procedure for making a claim

(a) Any person required to submit information to the Department under this chapter, or allow the Department to obtain such information, which such person believes in good faith to constitute confidential information, may assert a confidentiality claim by following the procedures set forth in this subchapter.

(b) A claimant shall submit to the Department (at the address provided in N.J.A.C. 7:1E-7.3) a confidential copy and, upon the Department's request, a preliminary public copy of any record containing assertedly confidential information. The preliminary public copy shall carry a notation stating that confidential information has been deleted. The Department may disclose the preliminary public copy to any person, without restriction or limitation.

(c) The claimant shall label the first page of the confidential copy "CONFIDENTIAL COPY." At the top of each page of the confidential copy, which page contains information that the claimant asserts is confidential information, the

claimant shall place a boldface heading reading "CONFIDENTIAL." The claimant shall clearly underscore or highlight all information in the confidential copy which the claimant asserts to be confidential, in a manner which shall be clearly visible on photocopies of the confidential copy.

(d) The claimant shall seal the confidential copy in an envelope displaying the word "CONFIDENTIAL" in bold type or stamp on both sides. This envelope shall be enclosed in another envelope for transmittal to the Department. The outer envelope shall bear no markings indicating the confidential nature of the contents.

(e) The claimant shall send the package containing the confidential copy to the Department by certified mail, return receipt requested, or by other means providing a receipt for delivery.

(f) The claimant shall include in the package a written designation of a person to receive notices pursuant to N.J.A.C. 7:1E-7.2.

7:1E-7.2 Designation by claimant of an addressee for notices and inquiries

A claimant shall designate a person as the proper addressee of communications from the Department under N.J.A.C. 7:1E-7, 8, 9 and 10. To designate such a person, the claimant shall submit the following information to the Department in writing: the name and address of the claimant; the name, address, and telephone number of the designated person; and a request that all Department inquiries and communications (oral and written), including without limitation the inquiries and notices listed in N.J.A.C. 7:1E-7.3(a), be directed to the designee.

7:1E-7.3 Correspondence, inquiries and notices

(a) The Department shall direct all correspondence, inquiries and notices to the person designated by the claimant pursuant to N.J.A.C. 7:1E-7.2, including without limitation the following:

1. Notices requesting substantiation of claims, under N.J.A.C. 7:1E-8.2(a)1ii;
2. Notices of denial of confidentiality claims and proposed disclosure of information, under N.J.A.C. 7:1E-8.5(a)1;
3. Notices concerning shortened comment and/or waiting periods under N.J.A.C. 7:1E-9.3(a);
4. Notices of disclosure under N.J.A.C. 7:1E-9.4; and
5. Notices of proposed use of confidential information in administrative proceedings, under N.J.A.C. 7:1E-9.7.

(b) A claimant shall direct all correspondence, inquiries, notices and submissions concerning confidentiality claims under this chapter to the Department at the following address:

Bureau of Discharge Prevention
New Jersey Department of Environmental Protection
PO Box 424
Trenton, New Jersey 08625-0424

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

SUBCHAPTER 8. CONFIDENTIALITY DETERMINATIONS

Source and Effective Date

R.1992 d.186, effective April 20, 1992.
See: 23 N.J.R. 2848(a), 24 N.J.R. 1484(a).

7:1E-8.1 Time for making confidentiality determinations

(a) The Department shall make a confidentiality determination:

1. If the Department receives a request, by a person to whom the Department is restricted from disclosing confidential information pursuant to N.J.A.C. 7:1E-10, to inspect or copy records containing assertedly confidential information which is the subject of a confidentiality claim; or
2. Before taking any action which is inconsistent with requirements for treatment of confidential information set forth in N.J.A.C. 7:1E-10.

(b) The Department may, in its discretion, make a confidentiality determination at any time.

7:1E-8.2 Notice of initial confidentiality determination, and of requirement to submit substantiation of claim

(a) If the Department initially determines that any of the assertedly confidential information may be confidential information, the Department shall:

1. Notify each claimant who is known to have asserted a claim applicable to such information, and who has not previously been furnished with notice with regard to the information in question, of the following:
 - i. That the Department is in the process of making a confidentiality determination with respect to the claimant's claim;
 - ii. That the claimant is required to substantiate the claim as required by N.J.A.C. 7:1E-8.3;
 - iii. The address of the office to which the claimant's substantiation must be addressed;

iv. The time allowed for submission of substantiation, pursuant to N.J.A.C. 7:1E-8.4;

v. The method for requesting a time extension under N.J.A.C. 7:1E-8.4(b); and

vi. That a claimant's failure to furnish substantiation within the time allocated in N.J.A.C. 7:1E-8.4 shall operate as a waiver of the claimant's claim.

2. Furnish, to any requester whose request for inspection or copying of the information is pending, notice that:

i. The information which is the subject of the request may be confidential information;

ii. The Department must undertake further inquiry before granting or denying the requester's request; and

iii. After the Department has made a confidentiality determination concerning the information which is the subject of the request, the Department will grant or deny the request.

(b) The Department shall send the notice required by paragraphs (a)1 and 2 above by certified mail, return receipt requested, or by other means providing a receipt for delivery.

(c) If the Department is able to determine whether all of the assertedly confidential information is or is not confidential information, without the need for submission of substantiation under N.J.A.C. 7:1E-8.3, such determination shall have the effect of a final confidentiality determination pursuant to N.J.A.C. 7:1E-8.5. The Department shall provide such notices of the determination as are required by N.J.A.C. 7:1E-8.5.

7:1E-8.3 Substantiation of confidentiality claims

(a) If the Department has determined that any assertedly confidential information may be confidential information, and notified the claimant pursuant to N.J.A.C. 7:1E-8.2(a) and (b), the claimant shall substantiate the confidentiality claim by submitting information to the Department in the following areas within the time allotted in N.J.A.C. 7:1E-8.4:

1. Measures taken by the claimant to prevent disclosure of the information to others, including evidence that the information is not contained in materials which are routinely available to the general public, including without limitation initial and final orders in contested case adjudications, press releases, copies of speeches, pamphlets and educational materials;

2. The extent to which the information has been disclosed to others and whether it was disclosed to other persons either by the claimant (except in a manner which protects the confidentiality of the information) or without the consent of the claimant (other than by subpoena or by discovery based on a showing of special need in a judicial proceeding, arbitration, or other proceeding in which the

claimant was required to disclose the information to such other persons, as long as the information has not become available to persons not involved in the proceeding), and the precautions taken to prevent further disclosure;

3. If the Department, EPA or any other agency has previously made a confidentiality determination relevant to the pending confidentiality claim, copies of all such confidentiality determinations;

4. A description of any substantial harmful effects which disclosure would have upon the claimant's competitive position or national security, an explanation of why such harmful effects are substantial, and an explanation of the causal relationship between disclosure and such harmful effects;

5. Evidence that no law, regulation (including, without limitation, N.J.A.C. 7:1E-8.10 or any other regulations of the Department), or order by a court or other tribunal of competent jurisdiction specifically requires disclosure of the information or provides that the information is not confidential information;

6. The period of time for which the claimant desires that the Department treat the assertedly confidential information as confidential information; and

7. Any other substantiation which is relevant in establishing that the assertedly confidential information is confidential information.

(b) The claimant may assert a confidentiality claim for any information submitted to the Department by the claimant as part of his or her substantiation pursuant to this section. If the claimant fails to assert a confidentiality claim for such information at the time of submission, the claimant shall be deemed to have waived all such claims with respect to the information.

Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

7:1E-8.4 Time for submission of substantiation

(a) The claimant shall submit substantiation within 30 days after the date of the claimant's receipt of the written notice provided under N.J.A.C. 7:1E-8.2(a)1.

(b) The Department may, in its discretion, extend the time allotted for submission of substantiation pursuant to (a) above if, before the expiration of the allotted time, the claimant submits a written request for the extension of such allotted time, provided, however, that except in extraordinary circumstances, the Department shall not approve such an extension of time in connection with a request to inspect or copy assertedly confidential information pursuant to N.J.S.A. 47:1A-1 et seq. without the consent of any person whose request to inspect or copy the allegedly confidential information under N.J.S.A. 47:1A-1 et seq. is pending.

(c) If a claimant fails to submit substantiation within the time allotted pursuant to this section, the claimant shall be deemed to have waived all confidentiality claims with respect to the information for which the substantiation was required.

7:1E-8.5 Final confidentiality determination

(a) If, after review of all the information submitted pursuant to N.J.A.C. 7:1E-8.2 and 8.3, the Department determines that the assertedly confidential information is not confidential information, the Department shall take the following actions:

1. The Department shall so notify the claimant by certified mail, return receipt requested. The notice shall state the basis for the determination, that it constitutes final agency action concerning the confidentiality claim, and that the Department shall make the information available to the public on the 14th day following receipt by the claimant of the written notice. The notice shall include a copy of the final public copy to be made available to the public.

2. On or after the 14th day following receipt by the claimant of the written notice required by (a)1 above, the Department shall send written notice of the determination to any requester with a pending request to inspect or copy the information which was the subject of the confidentiality claim. The Department shall send the notice by certified mail, return receipt requested.

(b) If, after review of the substantiation submitted pursuant to N.J.A.C. 7:1E-8.3, the Department determines that the assertedly confidential information is confidential information, the Department shall treat such information as confidential information in accordance with N.J.A.C. 7:1E-10. The Department shall send written notice of the determination to the claimant and to any requester with a pending request to inspect or copy the information which was the subject of the confidentiality claim. The notice shall state the basis for the determination and that it constitutes final agency action. The Department shall send the notice by certified mail, return receipt requested.

2. The name of the agency or other person to which the Department disclosed the confidential information; and
3. A description of the confidential information disclosed.

7:1E-9.5 Disclosure by consent

(a) The Department may disclose confidential information in accordance with the written consent of the claimant.

(b) A claimant's consent to a particular disclosure shall not operate as a waiver of a confidentiality claim with regard to further disclosures, unless the authorized disclosure is of such nature that the disclosed information is no longer confidential information.

7:1E-9.6 Incorporation of confidential information into cumulations of data

Nothing in this chapter shall be construed as prohibiting the incorporation of confidential information into cumulations of data subject to disclosure as public records, provided that after consultation with the claimant, the Department has determined that such disclosure is not in a form that would foreseeably allow persons, not otherwise having knowledge of such confidential information, to deduce from it the confidential information or the identity of the person who supplied it to the Department.

7:1E-9.7 Disclosure of confidential information in rulemaking, permitting, and enforcement proceedings

(a) Notwithstanding any other provision of this subchapter, the Department may disclose confidential information in rulemaking, permitting and enforcement proceedings.

(b) The following procedures shall apply to the disclosure of confidential information by the Department in rulemaking, permitting and enforcement proceedings:

1. The Department may disclose confidential information in an adjudicatory hearing, subject to the protection from making the information available to the public which the administrative law judge may impose under the Uniform Administrative Procedure Rules, N.J.A.C. 1:1 including without limitation N.J.A.C. 1:1-14.1.
2. The Department may disclose confidential information in any enforcement, permitting, or rulemaking proceeding which does not involve an adjudicatory hearing, pursuant to the following procedure:
 - i. The Department shall inform the claimant that the Department is considering using the information in connection with the proceeding and shall afford the claimant a reasonable period for comment;
 - ii. The claimant shall submit comments to the Department within the time allotted pursuant to (b)2i above, concerning the proposed uses of confidential

information, including comments which may support a determination that the confidential information is not relevant to the proceeding, or that the disclosure of the confidential information in the proceeding is not necessary to serve the public interest;

iii. The Department may disclose the confidential information in the proceeding if, upon consideration of comments submitted pursuant to (b)2ii above, the Department determines that the information is relevant to the subject of the proceeding, that the use of the information in the proceeding will serve the public interest, and that it materially impairs such service of the public interest to limit the use of the information to a manner which preserves its confidentiality; and

iv. The Department shall give the affected person at least five days notice prior to using the information in the proceeding in a manner which may result in the information being made available to the public.

7:1E-9.8 Hearing before disclosure of information for which a confidentiality claim has been made

(a) A claimant may request an adjudicatory hearing to contest disclosure of any information for which a confidentiality claim has been made, at any time before disclosure. The request shall be in accordance with the requirements of N.J.A.C. 7:1E-6.4(b), and shall be delivered to the Department at the following address:

Department of Environmental Protection
Office of Legal Affairs
Attention: Adjudicatory Hearing Requests—DPCC
Confidentiality
401 East State Street
PO Box 402
Trenton, New Jersey 08625-0402

(b) The Department may deny a request for an adjudicatory hearing under (a) above if:

1. The claimant fails to provide all information required under N.J.A.C. 7:1E-6.4(b);
2. The Department receives the request after disclosure of the assertedly confidential information occurs;
3. The Department has been ordered to disclose the information by a court of competent jurisdiction, or by any other person or entity with the power and authority to compel disclosure; or
4. The Department determines that disclosure is necessary to alleviate an imminent danger to the environment or to public health or safety, as provided in N.J.A.C. 7:1E-9.3.

(c) All adjudicatory hearings shall be conducted in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(d) At the adjudicatory hearing, the respondent shall have the burden of showing that the proposed disclosure is not in accordance with this chapter.

(e) Pending the completion of the adjudicatory hearing, the Department will refrain from disclosing the assertedly confidential information, unless:

1. The Department has been ordered to disclose the information by a court of competent jurisdiction, or by any other person or entity with the power and authority to compel disclosure; or
2. The Department determines that disclosure is necessary to alleviate an imminent danger to the environment or to public health or safety.

Amended by R.2000 d.352, effective August 21, 2000.

See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).

Recodified (d) through (f) as (c) through (e).

SUBCHAPTER 10. TREATMENT OF CONFIDENTIAL INFORMATION

Source and Effective Date

R.1992 d.186, effective April 20, 1992.

See: 23 N.J.R. 2848(a), 24 N.J.R. 1484(a).

7:1E-10.1 Nondisclosure of confidential information

Unless specifically required by any Federal or State law, regulation or order, court order, or applicable court rule, the Department shall not disclose confidential information to any person other than as provided in N.J.A.C. 7:1E-9.

7:1E-10.2 Safeguarding of confidential information

(a) Submissions to the Department required under this chapter will be opened only by persons authorized by the Department to be engaged in administering this chapter.

(b) Only those Department employees whose activities necessitate access to information for which a confidentiality claim has been made may open any envelope which is marked "CONFIDENTIAL".

(c) The Department shall store any records containing confidential information only in locked cabinets in secure rooms; provided, however, that if such records are in a form which is not amenable to such storage, the Department shall store such records in a manner which similarly restricts access by persons to whom disclosure of the confidential information in question is restricted.

(d) Any records made, possessed, or controlled by the Department or its contractors, and containing confidential information, shall contain indicators identifying the confidential information.

(e) Every Department employee, representative, and contractor who has custody or possession of confidential information shall take appropriate measures to safeguard such information and to protect against its improper disclosure.

7:1E-10.3 Confidentiality agreements

The provisions of this chapter shall supersede the provisions of any agreement imposing any duties of confidentiality or nondisclosure upon the Department or any employee, contractor or agent thereof. Such provisions imposing confidentiality or nondisclosure duties upon the Department of any employee, contractor or agent thereof shall be of no force or effect.

7:1E-10.4 Wrongful access or disclosure; penalties

(a) No person shall disclose, obtain or have possession of any confidential information, except as authorized by this chapter.

(b) Except in accordance with this chapter, no Department employee, representative, or contractor shall disclose any confidential information which came into his or her possession, or to which he or she gained access, by virtue of his or her official position of employment or contractual relationship with the Department. No such person shall use any such information for his or her private gain or advantage, except as permitted by a contract between such person and the Department. If a contractor discloses confidential information in violation of this chapter or of contractual provisions restricting disclosure, such disclosure shall constitute grounds for debarment or suspension as provided in N.J.A.C. 7:1D-2, Debarment, Suspension and Disqualification from Department Contracting.

(c) If the Department finds that any person has violated the provisions of this subchapter, it may:

1. Commence civil action in Superior Court for a restraining order and an injunction barring that person from further disclosing confidential information; and/or
2. Pursue any other remedy available at law or equity.

(d) In addition to any other penalty that may be sought by the Department, violation of this subchapter by a Department employee shall constitute grounds for dismissal, suspension, fine or other adverse personnel action.

(e) Use of any of the remedies specified under this section shall not preclude the use of any other remedy.

Administrative change.

See: 32 N.J.R. 1796(a).

APPENDIX A

LIST OF HAZARDOUS SUBSTANCES (Alphabetical Order)

Name	CAS Number
Abamectin	71751-41-2

Name	CAS Number	Name	CAS Number
Acenaphthene	83-32-9	Ammonium nitrate	6484-52-2
Acenaphthylene	208-96-8	Ammonium oxalate	14258-49-2
Acephate	30560-19-1	Ammonium oxalate, monohydrate	6009-70-7
Acetaldehyde	75-07-0	Ammonium oxalate, unspecified hydrate	5972-73-6
Acetamide	60-35-5	Ammonium perchlorate	7790-98-9
Acetic acid	64-19-7	Ammonium picrate	131-74-8
Acetic anhydride	108-24-7	Ammonium silicofluoride	16919-19-0
Acetone	67-64-1	Ammonium sulfamate	7773-06-0
Acetone cyanohydrin	75-86-5	Ammonium sulfate (solution)	7783-20-2
Acetone thiosemicarbazide	1752-30-3	Ammonium sulfide	12135-76-1
Acetonitrile	75-05-8	Ammonium sulfite	10196-04-0
Acetophenone	98-86-2	Ammonium tartrate, diammonium salt	3164-29-2
Acetoxytriphenylstannane	900-95-8	Ammonium tartrate	14307-43-8
2-Acetylaminofluorene	53-96-3	Ammonium thiocyanate	1762-95-4
Acetyl bromide	506-96-7	Ammonium vanadate	7803-55-6
Acetyl chloride	75-36-5	Amphetamine	300-62-9
Acetylene*	74-86-2	n-Amyl acetate	628-63-7
1-Acetyl-2-thiourea	591-08-2	iso-Amyl acetate	123-92-2
Acifluorfen, sodium salt	62476-59-9	sec-Amyl acetate	626-38-0
Acrolein	107-02-8	tert-Amyl acetate	625-16-1
Acrylamide	79-06-1	Anilazine	101-05-3
Acrylic acid	79-10-7	Aniline	62-53-3
Acrylonitrile	107-13-1	o-Anisidine	90-04-0
Acrylyl chloride	814-68-6	p-Anisidine	104-94-9
Adipic acid	124-04-9	o-Anisidine hydrochloride	134-29-2
Adiponitrile	111-69-3	Anthracene	120-12-7
Alachlor	15972-60-8	Antimony	7440-36-0
Aldicarb	116-06-3	Antimony compounds	*****
Aldicarb sulfone	1646-88-4	Antimony pentachloride	7647-18-9
Aldrin	309-00-2	Antimony pentafluoride	7783-70-2
d-trans-Allethrin	28057-48-9	Antimony potassium tartrate	28300-74-5
Allyl alcohol	107-18-6	Antimony tribromide	7789-61-9
Allyl amine	107-11-9	Antimony trichloride	10025-91-9
Allyl chloride	107-05-1	Antimony trifluoride	7783-56-4
Aluminum (fume or dust)	7429-90-5	Antimony trioxide	1309-64-4
Aluminum oxide (fibrous forms)	1344-28-1	Antimycin A	1397-94-0
Aluminum phosphide	20859-73-8	ANTU (concentrations above 4%)	86-88-4
Aluminum sulfate	10043-01-3	Aroclor 1016	12674-11-2
Ametryn	834-12-8	Aroclor 1221	11104-28-2
2-Aminoanthraquinone	117-79-3	Aroclor 1232	11141-16-5
4-Aminoazobenzene	60-09-3	Aroclor 1242	53469-21-9
4-Aminobiphenyl	92-67-1	Aroclor 1248	12672-29-6
(4-Aminobutyl)diethoxymethylsilane	3037-72-7	Aroclor 1254	11097-69-1
1-Amino-2-methylanthraquinone	82-28-0	Aroclor 1260	11096-82-5
p-Aminopropiophenone	70-69-9	Aroclor 5442	12642-23-8
Aminopterin	54-62-6	Arsenic	7440-38-2
4-Aminopyridine	504-24-5	Arsenic acid	1327-52-2
Amiton	78-53-5		7778-39-4
Amiton oxalate	3734-97-2	Arsenic compounds	*****
Amitraz	33089-61-1	Arsenic disulfide	1303-32-8
Amitrole	61-82-5	Arsenic pentoxide	1303-28-2
Ammonia	7664-41-7	Arsenic trioxide (concentrations above 1.5%)	1327-53-3
Ammonium acetate	631-61-8	Arsenic trisulfide	1303-33-9
Ammonium benzoate	1863-63-4	Arsenous trichloride	7784-34-1
Ammonium bicarbonate	1066-33-7	Arsine	7784-42-1
Ammonium bichromate	7789-09-5	Asbestos (friable)	1332-21-4
Ammonium bifluoride	1341-49-7	Atrazine	1912-24-9
Ammonium bisulfite	10192-30-0	Auramine	492-80-8
Ammonium carbamate	1111-78-0	Azaserine	115-02-6
Ammonium carbonate	506-87-6	Azinphos-ethyl	2642-71-9
Ammonium chloride	12125-02-9	Azinphos-methyl	86-50-0
Ammonium chromate	7788-98-9	Barban	101-27-9
Ammonium citrate dibasic	3012-65-5	Barium	7440-39-3
Ammonium fluoborate	13826-83-0	Barium azide	18810-58-7
Ammonium fluoride	12125-01-8	Barium compounds	*****
Ammonium hydroxide	1336-21-6	Barium cyanide	542-62-1

Name	CAS Number	Name	CAS Number
Barium styphnate	20236-55-9	Bromotrifluoromethane (Halon 1301)	75-63-8
Bendiocarb (conc. above 15%)	22781-23-3	Bromoxynil	1689-84-5
Bendiocarb phenol	22961-82-6	Bromoxynil octanoate	1689-99-2
Benfluralin	1861-40-1	Bronopol	52-51-7
Benomyl	17804-35-2	Brucine	357-57-3
Benzacridine	225-51-4	1,3-Butadiene	106-99-0
Benzal chloride	98-87-3	Butane*	106-97-8
Benzamide	55-21-0	iso-Butane*	75-28-5
Benzanthrane	56-55-3	Butene*	25167-67-3
Benzene	71-43-2	1-Butene*	106-98-9
Benzenearsonic acid	98-05-5	2-Butene*	107-01-7
Benzenesulfonyl chloride	98-09-9	2-Butene-cis*	590-18-1
Benzenethiol	108-98-5	2-Butene-trans*	624-64-6
Benzidine	92-87-5	n-Butyl acetate	123-86-4
Benzo(b)fluoranthene	205-99-2	iso-Butyl acetate	110-19-0
Benzo(j)fluoranthene	205-82-3	sec-Butyl acetate	105-46-4
Benzo(k)fluoranthene	207-08-9	tert-Butyl acetate	540-88-5
Benzoic acid	65-85-0	Butyl acrylate	141-32-2
Benzonitrile	100-47-0	n-Butyl alcohol	71-36-3
Benzoperylene	191-24-2	iso-Butyl alcohol	78-83-1
Benzopyrene	50-32-8	sec-Butyl alcohol	78-92-2
Benzotrithloride	98-07-7	tert-Butyl alcohol	75-65-0
Benzoyl chloride	98-88-4	Butylamine	109-73-9
Benzoyl peroxide	94-36-0	iso-Butylamine	78-81-9
Benzyl chloride	100-44-7	sec-Butylamine	513-49-5
Benzyl cyanide	140-29-4		13952-84-6
Beryllium	7440-41-7	tert-Butylamine	75-64-9
Beryllium chloride	7787-47-5	Butylate	2008-41-5
Beryllium compounds	*****	Butyl benzyl phthalate	85-68-7
Beryllium fluoride	7787-49-7	1,2-Butylene oxide	106-88-7
Beryllium nitrate	7787-55-5	Butyraldehyde	123-72-8
	13597-99-4	iso-Butyraldehyde	78-84-2
alpha-BHC	319-84-6	Butyric acid	107-92-6
beta-BHC	319-85-7	iso-Butyric acid	79-31-2
delta-BHC	319-86-8	C.I. Acid Blue 1, sodium salt	129-17-9
Bifenthrin	82657-04-3	C.I. Acid Blue 9, diammonium salt	2650-18-2
Biphenyl	92-52-4	C.I. Acid Green 3	4680-78-8
Bis(2-chloroethoxy)methane	111-91-1	C.I. Acid Green 5	5141-20-8
Bis(2-chloroisopropyl)ether	108-60-1	C.I. Acid Red 114	6459-94-5
Bis(chloromethyl)ether	542-88-1	C.I. Basic Green 4	569-64-2
Bis(chloromethyl)ketone	534-07-6	C.I. Basic Red 1	989-38-8
3,3-Bis(chloromethyl)oxetane	78-71-7	C.I. Direct Black 38	1937-37-7
Bis(dimethylthiocarbamoyl)sulfide	97-74-5	C.I. Direct Blue 6	2602-46-2
Bis(2-ethylhexyl)adipate	103-23-1	C.I. Direct Blue 218	28407-37-6
1,3-Bis(methylisocyanate)cyclohexane	38661-72-2	C.I. Direct Brown 95	16071-86-6
1,4-Bis(methylisocyanate)cyclohexane	10347-54-3	C.I. Disperse Yellow 3	2832-40-8
Bis(pentamethylene)thiuram tetrasulfide	120-54-7	C.I. Food Red 5	3761-53-3
Bisphenol A	80-05-7	C.I. Food Red 15	81-88-9
Bithionol	97-18-7	C.I. Food Red 6	3564-09-8
Bitoscanate	4044-65-9	C.I. Solvent Orange 7	3118-97-6
Black powder	*****	C.I. Solvent Orange 2	2646-17-5
Boron trichloride	10294-34-5	C.I. Solvent Red 80	6358-53-8
Boron trifluoride	7637-07-2	C.I. Solvent Yellow 3	97-56-3
Boron trifluoride compound with methyl ether (1:1) (conc. above 0.0005%)	353-42-4	C.I. Solvent Yellow 14	842-07-9
Bromacil	314-40-9	C.I. Vat Yellow 4	128-66-5
Bromacil, lithium salt	53404-19-6	Cacodylic acid	75-60-5
Bromadiolone (concentrations above 0.01%)	28772-56-7	Cadmium	7440-43-9
Bromine	7726-95-6	Cadmium acetate	543-90-8
Bromoacetone	598-31-2	Cadmium bromide	7789-42-6
1-Bromo-1-(bromomethyl)-1,3-propanedi-carbonitrile	35691-65-7	Cadmium chloride	10108-64-2
Bromochlorodifluoromethane (Halon 1211)	353-59-3	Cadmium compounds	*****
Bromoform	75-25-2	Cadmium oxide	1306-19-0
4-Bromophenyl phenyl ether	101-55-3	Cadmium stearate	2223-93-0
Bromotrifluorethylene*	598-73-2	Calcium arsenate	7778-44-1
		Calcium arsenite	52740-16-6
		Calcium carbide	75-20-7

Name	CAS Number	Name	CAS Number
Calcium chromate	13765-19-0	Chlorophacinone (concentrations 0.2% and above)	3691-35-8
Calcium cyanamide	156-62-7	o-Chlorophenol	95-57-8
Calcium cyanide	592-01-8	Chlorophenols	*****
Calcium dodecylbenzenesulfonate	26264-06-2	p-Chlorophenyl isocyanate	104-12-1
Calcium hypochlorite	7778-54-3	4-Chlorophenyl phenyl ether	7005-72-3
Cantharidin	6-25-7	1-(o-Chlorophenyl)thiourea	5344-82-1
Caprolactum	105-60-2	Chloropicrin	76-06-2
Captan	133-06-2	Chloroprene	126-99-8
Carbachol chloride	51-83-2	3-Chloropropionitrile	542-76-7
Carbamimidoseleonic acid	630-10-4	1-Chloropropylene*	590-21-6
Carbaryl	63-25-2	2-Chloropropylene*	557-98-2
Carbendazim	10605-21-7	3-Chloropropylsulfoxide	3569-57-1
Carbofuran	1563-66-2	Chlorosulfonic acid	7790-94-5
Carbofuran phenol	1563-38-8	Chlorotetrafluoroethane*	63938-10-3
Carbon disulfide	75-15-0	1-Chloro-1,1,2,2-tetrafluoroethane (HCFC-124a)*	354-25-6
Carbon tetrachloride	56-23-5	2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)*	2837-89-0
Carbonyl fluoride	353-50-4	Chlorothalonil	1897-45-6
Carbonyl sulfide	463-58-1	4-Chloro-o-toluidine hydrochloride	3165-93-3
Carbophenothion	786-19-6	p-Chloro-o-toluidine	95-69-2
Carbosulfan	55285-14-8	2-Chloro-1,1,1-trifluoroethane (HCFC-133a)*	75-88-7
Carboxin	5234-68-4	Chlorotrifluoromethane (CFC-13)*	75-72-9
Catechol	120-80-9	3-Chloro-1,1,1-trifluoropropane (HCFC-253fb)*	460-35-5
Chinomethionat	2349-01-2	Chloroxuron	1982-47-4
Chloramben	133-90-4	Chlorpyrifos (concentrations above 15%)	2921-88-2
Chlorambucil	305-03-3	Chlorpyrifos methyl	5598-13-0
Chlordane	57-74-9	Chlorsulfuron	64902-72-3
Chlordane metabolites	*****	Chlorthiophos	21923-23-9
Chlorendic acid	115-28-6	Chromic acetate	1066-30-4
Chlorfenvinfos	470-90-6	Chromic acid	1333-82-0
Chlorimuron ethyl	90982-32-4	Chromic acid (H ₂ CrO ₄)	1115-74-5
Chlorinated benzenes	*****	Chromic chloride	7738-94-5
Chlorinated ethanes	*****	Chromic(II) chloride	10025-73-7
Chlorinated naphthalene	*****	Chromic sulfate	10049-05-5
Chlorinated phenols	*****	Chromium	10101-53-8
Chlorine	7782-50-5	Chromium compounds	7440-47-3
Chlorine dioxide	10049-04-4	Chrysene	*****
Chlorine monoxide*	7791-21-1	Cobalt	218-01-9
Chlormephos	24934-91-6	Cobalt carbonyl	7440-48-4
Chlormequat chloride	999-81-5	Cobalt compounds	10210-68-1
Chlornaphazine	494-03-1	Cobaltous bromide	*****
Chloroacetaldehyde	107-20-0	Cobaltous formate	7789-43-7
Chloroacetic acid	79-11-8	Cobaltous sulfamate	544-18-3
2-Chloroacetophenone	532-27-4	Coke oven emissions	14017-41-5
Chloroalkyl ethers	*****	Colchicine	*****
1-(3-Chloroallyl)-3,5,7-triaza-1-azoniaadamantane chloride	4080-31-3	Copper	64-86-8
p-Chloroaniline	106-47-8	Copper compounds	7440-50-8
Chlorobenzene	108-90-7	Copper cyanide	*****
Chlorobenzilate	510-15-6	Copper dimethyldithiocarbamate	544-92-3
4-Chloro-m-cresol	59-50-7	Coumaphos (concentrations above 5%)	137-29-1
3-Chloro-6-cyano-2-norbornanone-o-(methycarbamoyl)oxime	5271-41-7	Coumatetralyl	56-72-4
Chlorodibromomethane	24-48-1	Creosote	5836-29-3
1-Chloro-1,1-difluoroethane (HCFC-142b)*	75-68-3	p-Cresidine	8001-58-9
Chlorodifluoromethane (HCFC-22)*	74-45-6	Cresol (mixed isomers)	120-71-8
Chloroethane	75-00-3	m-Cresol	1319-77-3
2-Chloroethanesulfonyl chloride	1622-32-8	o-Cresol	108-39-4
Chloroethanol	107-07-3	p-Cresol	95-48-7
Chloroethyl chloroformate	627-11-2	Crimidine	106-44-5
2-Chloroethyl vinyl ether	110-75-8	Crotonaldehyde, (E)-	535-89-7
Chloroform	67-66-3	Crotonaldehyde	123-73-9
Chloromethyl methyl ether	107-30-2	Cumene	4170-30-3
1-Chloromethyl-4-nitrobenzene	100-14-1		98-82-8
3-Chloro-2-methyl-1-propene	563-47-3		
2-Chloronaphthalene	91-58-7		
Chloropentafluoroethane (CFC-115)*	76-15-3		

Name	CAS Number	Name	CAS Number
Cumene hydroperoxide	80-15-9	2,2-Dibromo-3-nitropropionamide	10222-01-2
Cupferron	135-20-6	Dibromotetrafluoroethane (Halon 2402)	124-73-2
Cupric acetate	142-71-2	N,N'-Dibutylhexamethylenediamine	4835-11-4
Cupric acetoarsenite	12002-03-8	Dibutyl phthalate	84-74-2
Cupric chloride	7447-39-4	Dicamba	1918-00-9
Cupric nitrate	3251-23-8	Dichlobenil	94-65-6
Cupric oxalate	5893-66-3	Dichlone	117-80-6
Cupric sulfate	7758-98-7	Dichloran	99-30-9
Cupric sulfate, ammoniated	10380-29-7	p,p'-Dichlorodiphenylethane	3547-04-4
Cupric tartrate	815-82-7	Dichlorobenzene (mixed isomers)	25321-22-6
Cyanazine (concentrations above 30%)	21725-46-2	m-Dichlorobenzene	541-73-1
Cyanide	57-12-5	o-Dichlorobenzene	95-50-1
Cyanide compounds	*****	p-Dichlorobenzene	106-46-7
Cyanogen	460-19-5	3,3'-Dichlorobenzidine	91-94-1
Cyanogen bromide	506-68-3	3,3'-Dichlorobenzidine dihydrochloride	612-83-9
Cyanogen chloride	506-77-4	3,3'-Dichlorobenzidine sulfate	64969-34-2
Cyanogen iodide	506-78-5	1,1-Dichloro-2,2-bis(p-chlorophenyl)ethylene (DDE)	72-55-9
Cyanophos	2636-26-2	Dichlorobromomethane	75-27-4
Cyanuric fluoride	675-14-9	1,4-Dichloro-2-butene	764-41-0
Cycloate	1134-23-2	trans-1,4-Dichlorobutene	110-57-6
Cyclohexane	110-82-7	1,2-Dichloro-1,1-difluoroethane (HCFC-132b)*	1649-08-7
1,4-Cyclohexane diisocyanate	2556-36-7	Dichlorodifluoromethane (CFC-12)*	75-71-8
Cyclohexanol	108-93-0	(trans-4)-Dichloro(4,4-dimethylzinc	58270-08-9
Cyclohexanone	108-94-1	5(((methylamino)carbonyl)oxy)imino)pen-	
Cycloheximide	66-81-9	tanenitrile)	
Cyclohexylamine	108-91-8	Dichlorodiphenyldichloroethane (DDD)	72-54-8
2-Cyclohexyl-4,6-dinitrophenol	131-89-5	Dichlorodiphenyltrichloroethane (DDT)	50-29-3
Cyclophosphamide	50-18-0	DDT metabolites	*****
Cyclopropane*	75-19-4	1,1-Dichloroethane	75-34-3
Cyclotetramethylenetetranitramine	2691-41-0	1,2-Dichloroethanol acetate	10140-87-1
Cyclotetramethylenetrinitramine	121-82-4	1,2-Dichloroethylene	540-59-0
Cyfluthrin	68359-37-5	1,2-trans-Dichloroethylene	156-60-5
Cyhalothrin	68085-85-8	Dichloroethylenes (1,1-, and 1,2-Dichloro-	
2,4-D 2-ethyl-4-methylpentyl ester	53404-37-8	ethylene)	*****
Daunomycin	20830-81-3	Dichloroethyl ether	111-44-4
Dazomet	533-74-4	1,1-Dichloro-1-fluoroethane (HCFC-141b)*	1717-00-6
Dazomet, sodium salt	53404-60-7	Dichlorofluoromethane*	75-43-4
Decaborane(14)	17702-41-9	Dichloromethylphenylsilane	149-74-6
Decabromodiphenyl oxide	1163-19-5	Dichloropentafluoropropane*	127564-92-5
Demeton	65-48-3	1,1-Dichloro-1,2,2,3,3-pentafluoropropane	13474-88-9
Desmedipham	13684-56-5	(HCFC-225cc)*	
Dialifor	10311-84-9	1,1-Dichloro-1,2,3,3,3-pentafluoropropane	111512-56-2
Diallate	2303-16-4	(HCFC-225eb)*	
2,4-Diaminoanisole	615-05-4	1,2-Dichloro-1,1,2,3,3-pentafluoropropane	422-44-6
2,4-Diaminoanisole sulfate	39156-41-7	(HCFC-225bb)*	
4,4'-Diaminodiphenyl ether	101-80-4	1,2-Dichloro-1,1,3,3,3-pentafluoropropane	431-86-7
Diaminotoluene (mixed isomers)	25376-45-8	(HCFC-225da)*	
2,4-Diaminotoluene	95-80-7	1,3-Dichloro-1,1,2,2,3-pentafluoropropane	507-55-1
2,6-Diaminotoluene	823-40-5	(HCFC-225cb)*	
3,4-Diaminotoluene	496-72-0	1,3-Dichloro-1,1,2,3,3-pentafluoropropane	136013-79-1
Diazinon (concentrations above 25%)	333-41-5	(HCFC-225ea)*	
Diazodinitrophenol	87-31-0	2,2-Dichloro-1,1,1,3,3-pentafluoropropane	128903-21-9
Diazomethane	334-88-3	(HCFC-225aa)*	
Dibasic lead stearate	56189-09-4	2,3-Dichloro-1,1,1,2,3-pentafluoropropane	422-48-0
Dibenz(a,h)acridine	226-36-8	(HCFC-225ba)*	
Dibenz(a,j)acridine	224-42-0	3,3-Dichloro-1,1,1,2,2-pentafluoropropane	422-56-0
Dibenzanthracene	53-70-3	(HCFC-225ca)*	
7H-Dibenzo(c,g)carbazole	194-59-2	Dichlorophene	97-23-4
Dibenzo(a,e)fluoranthene	5385-75-1	2,4-Dichlorophenol	120-83-2
Dibenzofuran	132-64-9	2,6-Dichlorophenol	87-65-0
Dibenzo(a,e)pyrene	192-65-4	2,4-Dichlorophenoxyacetic acid (2,4-D)	94-75-7
Dibenzo(a,h)pyrene	189-64-0	(concentrations above 20%)	
Dibenzopyrene	189-55-9	2,4-Dichlorophenoxyacetic acid butoxyethanol	
Dibenzo(a,l)pyrene	191-30-0	ester	1929-73-3
Diborane	19287-45-7		
1,2-Dibromo-3-chloropropane	96-12-8		

Name (conc. above 20%)	CAS Number	Name	CAS Number
2,4-Dichlorophenoxyacetic acid n-butyl ester	94-80-4	Diethyl phthalate	84-66-2
2,4-Dichlorophenoxyacetic acid sec-butyl ester	94-79-1	Diethylstilbestrol	56-53-1
2,4-Dichlorophenoxyacetic acid chlorocrotyl ester	2971-38-2	Diethyl sulfate	64-67-5
2,4-D Esters	53467-11-1	Diflubenzuron	35367-38-5
2,4-Dichlorophenoxyacetic acid 2-ethylhexyl ester	1928-43-4	Difluoroethane	75-37-6
(concentrations above 20%)		Digitoxin	71-63-6
2,4-Dichlorophenoxyacetic acid isooctyl ester	25168-26-7	Diglycidyl ether	2238-07-5
(conc. above 20%)		Diglycidyl resorcinol ether	101-90-6
2,4-Dichlorophenoxyacetic acid isopropyl ester	94-11-1	Digoxin	20830-75-5
2,4-Dichlorophenoxyacetic acid methyl ester	1928-38-7	Dihydrosafrole	94-58-6
2,4-Dichlorophenoxyacetic acid propyl ester	1928-61-6	4,4'-Diisocyanatodiphenyl ether	4128-73-8
2,4-Dichlorophenoxyacetic acid propylene glycol butyl ether ester	1320-18-9	2,4'-Diisocyanatodiphenyl sulfide	75790-87-3
2,4-Dichlorophenoxyacetic acid sodium salt	2702-72-9	Dimefox	115-26-4
(conc. above 20%)		Dimethipin	55290-64-7
4-(2,4-Dichlorophenoxy)butyric acid	94-82-6	Dimethoate (concentrations above 25%)	60-51-5
2-(2,4-Dichlorophenoxy)propionic acid	120-36-5	3,3'-Dimethoxybenzidine	119-90-4
Dichlorophenylarsine	696-28-6	3,3'-Dimethoxybenzidine dihydrochloride	20325-40-0
Dichloropropane	26638-19-7	3,3'-Dimethoxybenzidine-4,4'-diisocyanate	91-93-0
1,1-Dichloropropane	78-99-9	3,3'-Dimethoxybenzidine hydrochloride	111984-09-9
1,2-Dichloropropane	78-87-5	Dimethylamine	124-40-3
1,3-Dichloropropane	142-28-9	Dimethylamine dicamba	2300-66-5
trans-1,3-Dichloropropane	10061-02-6	4-Dimethylaminoazobenzene	60-11-7
Dichloropropane-Dichloropropene (mixture)	8003-19-8	2-(Dimethylamino-N-hydroxy-2-oxo)ethanimidothioic acid, methyl ester	30558-43-1
Dichloropropene(s) (mixtures)	26952-23-8	Dimethylaniline	121-69-7
1,3-Dichloropropene	542-75-6	7,12-Dimethylbenzanthracene	57-97-6
2,3-Dichloropropene	78-88-6	3,3'-Dimethylbenzidine	119-93-7
2,2-Dichloropropionic acid	75-99-0	Dimethylcarbamyl chloride	79-44-7
Dichlorotetrafluoroethane (CFC-114)	76-14-2	Dimethyldichlorosilane	75-78-5
Dichlorotrifluoroethane*	34077-87-7	3,3'-Dimethyl-4,4'-diphenylene diisocyanate	91-97-4
1,1-Dichloro-1,2,2-trifluoroethane (HCFC-123b)*	812-04-4	3,3'-Dimethyldiphenylmethane-4,4'-diisocyanate	139-25-3
Dichloro-1,1,2-trifluoroethane*	90454-18-5	O-(((2,4-Dimethyl-1,3-dithiolan-2-yl)methylene)amino) methyl carbamic acid	26419-73-8
1,2-Dichloro-1,1,2-trifluoroethane (HCFC-123a)*	354-23-4	N,N-Dimethylformamide	68-12-2
2,2-Dichloro-1,1,1-trifluoroethane (HCFC-123)*	306-83-2	1,1-Dimethylhydrazine	57-14-7
4,5-Dichloro-2-(trifluoromethyl)benzimidazole	3615-21-2	1,2-Dimethylhydrazine	540-73-8
Dichlorosilane	4109-96-0	alpha, alpha-Dimethylphenethylamine	122-09-8
Dichlorvos (concentrations above 3%)	62-73-7	2,4-Dimethylphenol	105-67-9
Diclofop methyl	51338-27-3	2,6-Dimethylphenol	576-26-1
Dicofol	115-32-2	Dimethyl-p-phenylenediamine	99-98-9
Dicrotophos	141-66-2	Dimethyl phosphorochloridithioate	2524-03-0
Dicyclopentadiene	77-73-6	Dimethyl phthalate	131-11-3
Dieldrin	60-57-1	2,2-Dimethylpropane*	463-82-1
Diepoxybutane	1464-53-5	Dimethyl sulfate	77-78-1
Diethanolamine	111-42-2	Dimethyl sulfide	75-18-3
Diethyl ethyl	38727-55-8	Dimetilan	644-64-4
Diethylamine	109-89-7	Dinitrobenzene (mixed isomers)	25154-54-5
N,N-Diethylaniline	91-66-7	m-Dinitrobenzene	99-65-0
Diethylarsine	692-42-2	o-Dinitrobenzene	528-29-0
Diethylcarbamazine citrate	1642-54-2	p-Dinitrobenzene	100-25-4
Diethyl chlorophosphate	814-49-3	4,6-Dinitro-o-cresol	534-52-1
Diethyldiisocyanatobenzene	134190-37-7	Dinitroglycoluril	55510-04-8
Diethylene glycol dicarbamate	5952-26-1	Dinitrophenol (mixed isomers)	25550-58-7
Diethyleneglycol dinitrate	693-21-0	2,4-Dinitrophenol	51-28-5
Di(2-ethylhexyl)phthalate (DEHP)	117-81-7	2,5-Dinitrophenol	329-71-5
1,2-Diethylhydrazine	1615-80-1	2,6-Dinitrophenol	573-56-8
O,O-Diethyl S-methyl dithiophosphate	3288-58-2	Dinitroresorcinol	35860-51-6
Diethyl-p-nitrophenyl phosphate	311-45-5	Dinitrotoluene (mixed isomers)	25321-14-6
		2,4-Dinitrotoluene	121-14-2
		2,6-Dinitrotoluene	606-20-2
		3,4-Dinitrotoluene	610-39-9
		Dinocap	39300-45-3
		Dinoseb	88-85-7
		Dinoterb	1420-07-1
		Di-n-octyl phthalate	117-84-0

Name	CAS Number	Name	CAS Number
1,4-Dioxane	123-91-1	Ethyl ether*	60-29-7
Dioxathion	78-34-2	Ethyl mercaptan	75-08-1
Diphacinone (concentrations above 3%)	82-66-6	Ethyl methacrylate	97-63-2
Diphenamid	957-51-7	Ethyl methanesulfonate	62-50-0
Diphenylamine	122-39-4	Ethyl nitrite*	109-95-5
1,2-Diphenylhydrazine	122-66-7	Ethylthiocyanate	542-90-5
Dipicryl sulfide	2217-06-3	Ethyl ziram	14324-55-1
Dipotassium endothall	2164-07-0	F001: The following spent halogenated sol-	
Dipropylamine	142-84-7	vents used in degreasing; all spent solvent	
Dipropyl isocinchomeronate	136-45-8	mixtures/blends used in degreasing contain-	
Diquat	2764-72-9	ing, before use, a total of ten percent or	
Diquat bromide	85-00-7	more (by volume) of one or more of the	
Disodium cyanodithioimidocarbonate	138-93-2	above halogenated solvents or those listed	
Disulfiram	97-77-8	in F002, F004, and F005; and still bottoms	
Disulfoton (concentrations above 2%)	298-04-4	from the recovery of these spent solvents	
Dithiazanine iodide	514-73-8	and spent solvent mixtures: (a) tetrachloroe-	
Dithiobiuret	541-53-7	thylene; (b) trichloroethylene; (c) methylene	
Diuron	330-54-1	chloride; (d) 1,1,1-trichloroethane; (e) car-	
Dodecylbenzenesulfonic acid	27176-87-0	bon tetrachloride; (f) chlorinated fluorocar-	
Dodine	2439-10-3	bons	*****
Emetine dihydrochloride	316-42-7	F002: The following spent halogenated sol-	
Endosulfan	115-29-7	vents; all spent solvent mixtures/blends con-	
alpha-Endosulfan	959-98-8	taining, before use, a total of ten percent or	
beta-Endosulfan	33213-65-9	more (by volume) of one or more of the	
Endosulfan metabolites	*****	above halogenated solvents or those listed	
Endosulfan sulfate	1031-07-8	in F001, F004, or F005; and still bottoms	
Endothall	145-73-3	from the recovery of these spent solvents	
Endothion	2778-04-3	and spent solvent mixtures: (a) tetrachloroe-	
Endrin	72-20-8	thylene; (b) methylene chloride; (c) trichlo-	
Endrin aldehyde	7421-93-4	roethylene; (d) 1,1,1-trichloroethane; (e)	
Endrin metabolites	*****	chlorobenzene; (f) 1,1,2-trichloro-1,2,2-tri-	
Epichlorohydrin	106-89-8	fluoroethane; (g) o-dichlorobenzene; (h)	
Epinephrine	51-43-4	trichlorofluoromethane; (i) 1,1,2-trichloro-	
EPN	2104-64-5	ethane	*****
Ergocalciferol	50-14-6	F003: The following spent non-halogenated	
Ergotamine tartrate	379-79-3	solvents and the still bottoms from the re-	
Ethane*	74-84-0	covery of these solvents: (a) xylene; (b)	
1,2-Ethanediylbiscarbamodithioic acid	111-54-6	acetone; (c) ethyl acetate; (d) ethylbenzene;	
Ethion (concentrations above 6% granular		(e) ethyl ether; (f) methyl isobutyl ketone;	
and 3%	563-12-2	(g) n-butyl alcohol; (h) cyclohexanone; (i)	
other formulations)		methanol	*****
Ethoprophos	13194-48-4	F004: The following spent non-halogenated	
2-Ethoxyethanol	110-80-5	solvents and the still bottoms from the re-	
Ethyl acetate	141-78-6	covery of these solvents: (a) cresols/cresylic	
Ethyl acetylene*	107-00-6	acid; (b) nitrobenzene	*****
Ethyl acrylate	140-88-5	F005: The following spent non-halogenated	
Ethylamine	75-04-7	solvents and the still bottoms from the re-	
Ethylbenzene	100-41-4	covery of these solvents: (a) toluene; (b)	
Ethylbis(2-chloroethyl)amine	538-07-8	methyl ethyl ketone; (c) carbon disulfide;	
Ethyl chloroformate	541-41-3	(d) isobutanol; (e) pyridine	*****
Ethyl-S-dimethylaminoethyl methylphospho-		F006: Wastewater treatment sludges from	
nothiolate	50782-69-9	electroplating operations except from the	
Ethyl dipropylthiocarbamate (EPTC)	759-94-4	following processes: (1) sulfuric acid anodiz-	
Ethylene*	74-85-1	ing of aluminum; (2) tin plating on carbon	
Ethylenebisdithiocarbamic acid, salts and es-	*****	steel; (3) zinc plating (segregated basis) on	
ters		carbon steel; (4) aluminum or zinc-alumi-	
N,N'-Ethylene bis(3-fluorosalicylideneimina-		nium plating on carbon steel; (5) clean-	
to)cobalt(II)	62207-76-5	ing/stripping associated with tin, zinc and	
Ethylenediamine	107-15-3	aluminum plating on carbon steel; and (6)	
Ethylenediamine-tetraacetic acid (EDTA)	60-00-4	chemical etching and milling of aluminum.	*****
Ethylene dibromide*	106-93-4	F007: Spent cyanide plating bath solutions	
Ethylene dichloride	107-06-2	from electroplating operations.	*****
Ethylene fluorohydrin	371-62-0	F008: Plating bath residues from the bottom	
Ethylene glycol	107-21-1	of plating baths from electroplating opera-	
Ethylene oxide	75-21-8	tions where cyanides are used in the pro-	
Ethylenimine	151-56-4	cess.	*****

Name	CAS Number	Name	CAS Number
F009: Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.	*****	hatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.	*****
F010: Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.	*****	F026: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzene under alkaline conditions.	*****
F011: Spent cyanide solution from salt bath pot cleaning from metal heat treating operations.	*****	F027: Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)	*****
F012: Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.	*****	F028: Residues resulting from the incineration or thermal treatment of soil contaminated with EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027.	*****
F019: Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.	*****	F032: Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drip-page, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with 40 CFR 261.35 or potentially cross-contaminated wastes that are otherwise currently regulated as hazardous wastes (i.e. F034 or F035), and where the generator does not resume or initiate the use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****
F020: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	*****	F034: Wastewaters (except those that have not come into contact with the process contaminants), process residuals, preservative drip-page, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****
F021: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.	*****	F035: Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drip-page, and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****
F022: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzenes under alkaline conditions.	*****		
F023: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5-trichlorophenol.)	*****		
F024: Wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of chlorinated aliphatic hydrocarbons, having carbon content from one to five, utilizing free radical catalyzed processes. (This listing does not include light ends, spent filters and filter aids, spent dessicants(sic), wastewater, wastewater treatment sludges, spent catalysts, and wastes listed in 40 CFR 261.32.)	*****		
F025: Condensed light ends, spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated alip-			

Name	CAS Number	Name	CAS Number
F037: Petroleum refinery primary oil/water/solids separation sludge—Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries.	*****	Glycol ethers	*****
F038: Petroleum refinery secondary (emulsified) oil/water/solids separation sludge—Any sludge and/or float generated from the physical and/or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries.	*****	Guanyl nitrosaminoguanilydene hydrazine	*****
Famphur	52-85-7	Haloethers	*****
Fenbutatin oxide	13356-08-6	Halomethanes	*****
Fenamiphos	22224-92-6	Heptachlor	76-44-8
Fenarimol	60168-88-9	Heptachlor epoxide	1024-57-3
Fenitrothion	122-14-5	Heptachlor metabolites	*****
Fenoxaprop ethyl	66441-23-4	Hexachlorobenzene	118-74-1
Fenoxycarb	72490-01-8	Hexachlorobutadiene	87-68-3
Fenpropathrin	39515-41-8	Hexachlorocyclohexane (mixed isomers)	608-73-1
Fensulfothion	115-90-2	Hexachlorocyclopentadiene	77-47-4
Fenthion (conc. above 0.5%)	55-38-9	Hexachloroethane	67-72-1
Fenvalerate	51630-58-1	Hexachloronaphthalene	1335-87-1
Ferbam	14484-64-1	Hexachlorophene	70-30-4
Ferric ammonium citrate	1185-57-5	Hexachloropropene	1888-71-7
Ferric ammonium oxalate	2944-67-4	Hexaethyl tetraphosphate	757-58-4
Ferric ammonium oxalate, unspecified hydrate	55488-87-4	Hexamethylene-1,6-diisocyanate	822-06-0
Ferric chloride	7705-08-0	Hexamethylphosphoramide	680-31-9
Ferric fluoride	7783-50-8	n-Hexane	110-54-3
Ferric nitrate	10421-48-4	Hexanitrodiphenylamine	131-73-7
Ferric sulfate	10028-22-5	Hexanitrostilbene	20062-22-0
Ferrous ammonium sulfate	10045-89-3	Hexatonal, cast	*****
Ferrous chloride	7758-94-3	Hexazinone	51235-04-2
Ferrous sulfate	7720-78-7	Hydramethylnon	67485-29-4
Ferrous sulfate heptahydrate	7782-63-0	Hydrazine	302-01-2
Flash powder	*****	Hydrazine sulfate	10034-93-2
Fluazifop butyl	69806-50-4	Hydrogen*	1333-74-0
Fluoneti'	4301-50-2	Hydrogen chloride	7647-01-0
Fluometuron	2164-17-2	Hydrogen cyanide	74-90-8
Fluoranthene	206-44-0	Hydrogen fluoride	7664-39-3
Fluorene	86-73-7	Hydrogen peroxide (Conc. > 52%)	7722-84-1
Fluorine	7782-41-4	Hydrogen selenide	7783-07-5
Fluoroacetamide	640-19-7	Hydrogen sulfide	7783-06-4
Fluoroacetic acid	144-49-0	Hydroquinone	123-31-9
Fluoroacetyl chloride	359-06-8	Imazalil	35554-44-0
Fluorouracil	51-21-8	2-Imidazolidinethione	96-45-7
Fluvalinate	69409-94-5	Indeno(1,2,3-cd)pyrene	193-39-5
Folpet	133-07-3	3-Iodo-2-propynyl n-butylcarbamate	55406-53-6
Fomesafen	72178-02-0	Iron pentacarbonyl	13463-40-6
Fonofos	944-22-9	Isobenzan	297-78-9
Formaldehyde	50-00-0	Isobutyronitrile	78-82-0
Formaldehyde cyanohydrin	107-16-4	Isocyanic acid, 3,4-dichlorophenyl ester	102-36-3
Formetanate hydrochloride	23422-53-9	Isodrin	465-73-6
Formic acid	64-18-6	Isofenphos	25311-71-1
Formothion	2540-82-1	Isofluorophate	55-91-4
Formparanate	17702-57-7	Isophorone	78-59-1
Fosthietan	21548-32-3	Isophorone diisocyanate	4098-71-9
Freon 113	76-13-1	Isoprene*	78-79-5
Fuberidazole	3878-19-1	Isopropanolamine dodecylbenzene sulfonate	42504-46-1
Fumaric acid	110-17-8	Isopropyl alcohol	67-63-0
Furan	110-00-9	Isopropyl chloride*	75-29-6
Furfural	98-01-1	Isopropyl chloroformate	108-23-6
Gallium trichloride	13450-90-3	Isopropyl formate	625-55-8
Glycidylaldehyde	765-34-4	Isopropylmethylpyrazolyl dimethylcarbamate	119-38-0
		Isosafrole	120-58-1
		K001: Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol.	*****
		K002: Wastewater treatment sludge from the production of chrome yellow and orange pigments	*****
		K003: Wastewater treatment sludge from the production of molybdate orange pigments.	*****
		K004: Wastewater treatment sludge from the production of zinc yellow pigments.	*****

<u>Name</u>	<u>CAS Number</u>	<u>Name</u>	<u>CAS Number</u>
K005: Wastewater treatment sludge from the production of chrome green pigments.	*****	K033: Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	*****
K006: Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	*****	K034: Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	*****
K007: Wastewater treatment sludge from the production of iron blue pigments.	*****	K035: Wastewater treatment sludges generated in the production of creosote.	*****
K008: Oven residue from the production of chrome oxide green pigments.	*****	K036: Still bottoms from toluene reclamation distillation in the production of disulfoton.	*****
K009: Distillation bottoms from the production of acetaldehyde from ethylene.	*****	K037: Wastewater treatment sludges from the production of disulfoton.	*****
K010: Distillation side cuts from the production of acetaldehyde from ethylene.	*****	K038: Wastewater from the washing and stripping of phorate production.	*****
K011: Bottom stream from the wastewater stripper in the production of acrylonitrile.	*****	K039: Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	*****
K013: Bottom stream from the acetonitrile column in the production of acrylonitrile.	*****	K040: Wastewater treatment sludge from the production of phorate.	*****
K014: Bottoms from the acetonitrile purification column in the production of acrylonitrile.	*****	K041: Wastewater treatment sludge from the production of toxaphene.	*****
K015: Still bottoms from the distillation of benzyl chloride.	*****	K042: Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	*****
K016: Heavy ends or distillation residues from the production of carbon tetrachloride.	*****	K043: 2,6-Dichlorophenol waste from the production of 2,4-D.	*****
K017: Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	*****	K044: Wastewater treatment sludges from the manufacturing and processing of explosives.	*****
K018: Heavy ends from the fractionation column in ethyl chloride production.	*****	K045: Spent carbon from the treatment of wastewater containing explosives.	*****
K019: Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	*****	K046: Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	*****
K020: Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.	*****	K047: Pink/red water from TNT operations.	*****
K021: Aqueous spent antimony catalyst waste from fluoromethanes production.	*****	K048: Dissolved air flotation (DAF) float from the petroleum refining industry.	*****
K022: Distillation bottom tars from the production of phenol/acetone from cumene.	*****	K049: Slop oil emulsion solids from the petroleum refining industry.	*****
K023: Distillation light ends from the production of phthalic anhydride from naphthalene.	*****	K050: Heat exchanger bundle cleaning sludge from the petroleum refining industry.	*****
K024: Distillation bottoms from the production of phthalic anhydride from naphthalene.	*****	K051: API separator sludge from the petroleum refining industry.	*****
K025: Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	*****	K052: Tank bottoms (leaded) from the petroleum refining industry.	*****
K026: Stripping still tails from the production of methyl ethyl pyridines.	*****	K060: Ammonia still lime sludge from coking operations.	*****
K027: Centrifuge and distillation residues from toluene diisocyanate production.	*****	K061: Emission control dust/sludge from the primary production of steel in electric furnaces.	*****
K028: Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	*****	K062: Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).	*****
K029: Waste from the product steam stripper in the production of 1,1,1-trichloroethane.	*****	K064: Acid plant blowdown slurry/sludge resulting from thickening of blowdown slurry from primary copper production.	*****
K030: Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	*****	K065: Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.	*****
K031: By-product salts generated in the production of MSMA and cacodylic acid.	*****	K066: Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production.	*****
K032: Wastewater treatment sludge from the production of chlordane.	*****	K069: Emission control dust/sludge from secondary lead smelting.	*****
		K071: Brine purification muds from the mercury cell process in chlorine production,	

Name	CAS Number	Name	CAS Number
where separately prepurified brine is not used.	*****	K106: Wastewater treatment sludge from the mercury cell process in chlorine production.	*****
K073: Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.	*****	K107: Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazines.	*****
K083: Distillation bottoms from aniline extraction.	*****	K108: Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****
K084: Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	*****	K109: Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****
K085: Distillation or fractionation column bottoms from the production of chlorobenzenes.	*****	K110: Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****
K086: Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.	*****	K111: Product washwaters from the production of dinitrotoluene via nitration of toluene.	*****
K087: Decanter tank tar sludge from coking operations.	*****	K112: Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****
K088: Spent potliners from primary aluminum reduction.	*****	K113: Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****
K090: Emission control dust or sludge from ferrochromiumsilicon production.	*****	K114: Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****
K091: Emission control dust or sludge from ferrochromium production.	*****	K115: Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****
K093: Distillation light ends from the production of phthalic anhydride from ortho-xylene.	*****	K116: Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	*****
K094: Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	*****	K117: Wastewater from the reactor vent gas scrubber in the production of ethylene bromide via bromination of ethene.	*****
K095: Distillation bottoms from the production of 1,1,1-trichloroethane.	*****	K118: Spent absorbent solids from purification of ethylene dibromide in the production of ethylene dibromide.	*****
K096: Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	*****	K123: Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.	*****
K097: Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	*****	K124: Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	*****
K098: Untreated process wastewater from the production of toxaphene.	*****	K125: Filtration, evaporation, and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	*****
K099: Untreated wastewater from the production of 2,4-D.	*****	K126: Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.	*****
K100: Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.	*****	K131: Wastewater from the reactor and spent sulfuric acid from the acid dryer in the production of methyl bromide.	*****
K101: Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	*****	K132: Spent absorbent and wastewater solids from the production of methyl bromide.	*****
K102: Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	*****		
K103: Process residues from aniline extraction from the production of aniline.	*****		
K104: Combined wastewater streams generated from nitrobenzene/aniline production.	*****		
K105: Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	*****		

Name	CAS Number	Name	CAS Number
K136: Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	*****	K158: Bag house dust and filter/separation solids from the production of carbamates and carbamoyl oximes.	*****
K141: Process related from the recovery of coal tar, including, but not limited to, tar collecting sump residues from the production of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations.)	*****	K159: Organics from the treatment of thiocarbamate wastes.	*****
K142: Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.	*****	K160: Solids (including filter wastes, separation solids, and spent catalysts) from the production of thiocarbamates and solids from the treatment of thiocarbamate wastes.	*****
K143: Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.	*****	K161: Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust, and floor sweepings from the production of dithiocarbamate acids and their salts (This listing does not include K125 or K126).	*****
K144: Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products from coal.	*****	Kepona	143-50-0
K145: Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.	*****	Lactofen	77501-63-4
K147: Tar storage tank residues from coal tar refining.	*****	Lactonitrile	78-97-7
K148: Residues from coal tar distillation, including, but not limited to, still bottoms.	*****	Lasiocarpine	303-34-4
K149: Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)	*****	Lead	7439-92-1
K150: Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	*****	Lead acetate	301-04-2
K151: Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	*****	Lead arsenate	7784-40-9
K156: Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.	*****	Lead arsenate, unspecified	10102-48-4
K157: Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes (This listing does not include sludges derived from the treatment of these wastewaters).	*****	Lead azide	7645-25-2
		Lead chloride	13424-46-9
		Lead compounds	7758-95-4
		Lead fluoborate	*****
		Lead fluoride	13814-96-5
		Lead iodide	7783-46-2
		Lead mononitroresorcinate	10101-63-0
		Lead nitrate	51317-24-9
		Lead phosphate	10099-74-8
		Lead stearate	7446-27-7
		Lead stearate dibasic	7428-48-0
		Lead stearate (stearic acid, lead(2+) salt)	52652-59-2
		Lead styphnate	1072-35-1
		Lead subacetate	63918-97-8
		Lead sulfate	1335-32-6
		Lead sulfide	7446-14-2
		Lead thiocyanate	15739-80-7
		Leptophos	1314-87-0
		Lewisite	592-87-0
		Lindane (concentrations above 20%)	21609-90-5
		Linuron	541-25-3
		Lithium carbonate	58-89-9
		Lithium chromate	330-55-2
		Lithium hydride	554-13-2
		Malathion	14307-35-8
		Maleic acid	7580-67-8
		Maleic anhydride	121-75-5
		Maleic hydrazide	110-16-7
		Malononitrile	108-31-6
		Maneb	123-33-1
		Manganese	109-77-3
		Manganese compounds	12427-38-2
		Manganese dimethyldithiocarbamate	7439-96-5
		Mannitol hexanitrate	*****
		Mecoprop	15339-36-3
		Melphalan	15825-70-4
		Mephosfolan	93-65-2
		2-Mercaptobenzothiazole	148-82-3
		Mercaptodimethur	950-10-7
		Mercuric acetate	149-30-4
		Mercuric chloride	203-65-7
			1600-27-7
			7487-94-7

Name	CAS Number	Name	CAS Number
Mercuric cyanide	592-04-1	Methyl mercaptan	74-93-1
Mercuric nitrate	10045-94-0	Methylmercuric dicyanamide	502-39-6
Mercuric oxide	21908-53-2	Methyl methacrylate	80-62-6
Mercuric sulfate	7783-35-9	N-Methyl-N'-nitro-N-nitrosoguanidine	70-25-7
Mercuric thiocyanate	592-85-8	N-Methylolacrylamide	924-42-5
Mercurous nitrate	7782-86-7	Methyl parathion	298-00-0
Mercury	10415-75-5	Methyl phenkapton	3735-23-7
Mercury compounds	7439-97-6	(2-Methylphenyl)thiourea	614-78-8
Mercury fulminate	****	Methyl phosphonic dichloride	676-97-1
Merphos	628-86-4	Methylphosphonothioic acid-O-ethyl O-(p-(methylthio)phenyl)ester	2703-13-1
Metaphosphoric acid, trisodium salt	150-50-5	Methylphosphonothioic acid-O-(4-nitrophenyl)-O-phenyl ester	2665-30-7
Methacrolein diacetate	7785-84-4	Methylpropene*	115-11-7
Methacrylic anhydride	10476-95-6	N-Methyl-2-pyrrolidone	872-50-4
Methacryloyl chloride	760-93-0	Methyl tert-butyl ether	1634-04-4
Methacryloyloxyethyl isocyanate	920-46-7	Methyl thiocyanate	556-64-9
Methamidophos	30674-80-7	Methylthiouracil	56-04-2
Metham sodium	10265-92-6	Methyltrichlorosilane	75-79-6
Methane*	137-42-8	Methyl vinyl ketone	78-94-4
Methanesulfonyl fluoride	74-82-8	2-Methyl-5-vinylpyridine	140-76-1
Methanol	558-25-8	Metiram	9006-42-2
Methapyrilene	67-56-1	Metolcarb	1129-41-5
Methazole	91-80-5	Metribuzin	21087-64-9
Methidathion	20354-26-1	Mevinphos	7786-34-7
Methiocarb (concentrations above 2%)	950-37-8	Mexacarbate (concentrations above 2%)	315-18-4
Methomyl	2032-65-7	Michler's ketone	90-94-8
Methoxone	16752-77-5	Mirex	2385-85-5
Methoxone sodium salt	94-74-6	Mitomycin C	50-07-7
Methoxychlor	3653-48-3	Molinate	2212-67-1
2-Methoxyethanol	72-43-5	Molybdenum trioxide	1313-27-5
Methoxyethylmercuric acetate	109-86-4	Monocrotophos	6923-22-4
Methyl acrylate	151-38-2	Monuron	150-68-5
Methylacrylonitrile	96-33-3	Muscimol	2763-96-4
Methylamine	126-98-7	Mustard gas	505-60-2
Methyl bromide	74-89-5	Myclobutanil	88671-89-0
1-Methylbutadiene	74-83-9	Nabam	142-59-6
2-Methyl-1-butene*	504-60-9	Naled	300-76-5
3-Methyl-1-butene*	563-46-2	Naphthalene	91-20-3
Methyl chloride	563-45-1	1,5-Naphthalene diisocyanate	3173-72-6
Methyl 2-chloroacrylate	74-87-3	1,4-Naphthalenedione	130-15-4
Methyl chloroformate	80-63-7	Naphthenic acid	1338-24-5
3-Methylcholanthrene	79-22-1	1-Naphthylamine	134-32-7
5-Methylchrysene	56-49-5	2-Naphthylamine	91-59-8
Methylcyclopentadienylmanganese tricarbonyl	3697-24-3	Nickel	7440-02-0
Methyl demeton (concentrations above 7%)	12108-13-3	Nickel ammonium sulfate	15699-18-0
Methyl demeton methyl	919-86-8	Nickel carbonyl	13463-39-3
4-Methyldiphenylmethane-3,4-diisocyanate	2587-90-8	Nickel chloride	37211-05-5
Methyl disulfide	75790-84-0	Nickel(II) chloride	7718-54-9
4,4'-Methylenebis(2-chloroaniline)	624-92-0	Nickel compounds	****
4,4'-Methylenebis(N,N-dimethyl)benzamine	101-14-4	Nickel cyanide	557-19-7
1,1-Methylene bis(4-isocyanatocyclohexane)	101-61-1	Nickel hydroxide	12054-48-7
Methylenebis(phenylisocyanate)	5124-30-1	Nickel nitrate	14216-75-2
Methylene bromide	101-68-8	Nickel sulfate	7786-81-4
Methylene chloride	74-95-3	Nicotine	54-11-5
4,4'-Methylenedianiline	75-09-2	Nicotine salts	****
Methyl ether*	101-77-9	Nicotine sulfate	65-30-5
Methyl ethyl ketone	115-10-6	Nitrapyrin	1929-82-4
Methyl ethyl ketone peroxide	78-93-3	Nitrate compounds (water dissociable)	****
3-(1-Methylethyl)phenol methylcarbamate	1338-23-4	Nitric acid	7697-37-2
Methyl formate*	64-00-6	Nitric oxide	10102-43-9
Methyl hydrazine	107-31-3	Nitrilotriacetic acid	139-13-9
Methyl iodide	60-34-4	p-Nitroaniline	100-01-6
Methyl isobutyl ketone	74-88-4	5-Nitro-o-anisidine	99-59-2
Methyl isocyanate	108-10-1	Nitrobenzene	98-95-3
Methyl isothiocyanate	624-83-9	5-Nitrobenzotriazole	2338-12-7
	556-61-6		

Name	CAS Number	Name	CAS Number
4-Nitrobiphenyl	92-93-3	Pendimethalin	40487-42-1
Nitrocellulose (dry or wetted with less than 25 percent water (or alcohol) by mass)	9004-70-0	Pentaborane	19624-22-7
Nitrocellulose (unmodified or plasticized with less than 18 percent plasticizing substance, by mass)	9004-70-0	Pentachlorobenzene	608-93-5
Nitrocyclohexane	1122-60-7	Pentachloroethane	76-01-7
Nitrofen	1836-75-5	Pentachloronitrobenzene	82-68-8
Nitrogen dioxide	10102-44-0	Pentachlorophenol (concentrations above 5%)	87-86-5
Nitrogen mustard	51-75-2	Pentadecylamine	2570-26-5
Nitrogen tetroxide	10544-72-6	Pentaerythrite tetranitrate	78-11-5
Nitroglycerin	55-63-0	Pentane*	109-66-0
Nitroguanidine	556-88-7	iso-Pentane*	78-78-4
Nitrophenol (mixed isomers)	25154-55-6	Pentasodium triphosphate	7758-29-4
m-Nitrophenol	554-84-7	1-Pentene*	109-67-1
o-Nitrophenol	88-75-5	2-Pentene, (Z)-*	627-20-3
p-Nitrophenol	100-02-7	2-Pentene, (E)-*	646-04-8
2-Nitropropane	79-46-9	Pentobarbital sodium	57-33-0
1-Nitropyrene	5522-43-0	Pentolite	8066-33-9
4-Nitropyridine 1-oxide	1124-33-0	Perchloromethylmercaptan	594-42-3
Nitrosamines	*****	Permethrin	52645-53-1
N-Nitrosodi-n-butylamine	924-16-3	Peroxyacetic acid	79-21-0
N-Nitrosodiethanolamine	1116-54-7	Phenacetin	62-44-2
N-Nitrosodiethylamine	55-18-5	Phenanthrene	85-01-8
N-Nitrosodimethylamine	62-75-9	Phenol	108-95-2
p-Nitrosodimethylaniline	138-89-6	Phenothrin	26002-80-2
N-Nitrosodiphenylamine	86-30-6	p-Phenylenediamine	106-50-3
p-Nitrosodiphenylamine	156-10-5	1,2-Phenylenediamine	95-54-5
N-Nitrosodi-n-propylamine	621-64-7	1,3-Phenylenediamine	108-45-2
N-Nitroso-N-ethylurea	759-73-9	1,2-Phenylenediamine dihydrochloride	615-28-1
N-Nitroso-N-methylurea	684-93-5	1,4-Phenylenediamine dihydrochloride	624-18-0
N-Nitroso-N-methylurethane	615-53-2	1,3-Phenylene diisocyanate	123-61-5
N-Nitrosomethylvinylamine	4549-40-0	1,4-Phenylene diisocyanate	104-49-4
N-Nitrosomorpholine	59-89-2	Phenylhydrazine hydrochloride	59-88-1
N-Nitrosornicotine	16543-55-8	Phenylmercuric acetate	62-38-4
N-Nitrosopiperidine	100-75-4	2-Phenylphenol	90-43-7
N-Nitrosopyrrolidine	930-55-2	Phenylsilatrane	2097-19-0
Nitrostarch	9056-38-6	Phenylthiourea	103-85-5
Nitrotoluene (mixed isomers)	1321-12-6	Phenytol	57-41-0
m-Nitrotoluene	99-08-1	Phorate	298-02-2
o-Nitrotoluene	88-72-2	Phosacetim	4104-14-7
p-Nitrotoluene	99-99-0	Phosfolan	947-02-4
5-Nitro-o-toluidine	99-55-8	Phosgene	75-44-5
Nitrotriazolone	932-64-9	Phosmet (concentrations above 20%)	732-11-6
Nitrourea	556-89-8	Phosphamidon	13171-21-6
Norbormide	991-42-4	Phosphine	7803-51-2
Norflurazon	27314-13-2	Phosphoric acid	7664-38-2
Octachloronaphthalene	2234-13-1	Phosphoric acid, dimethyl 4-(methylthio) phenyl ester	3254-63-5
Octamethyl pyrophosphoramidate	152-16-9	Phosphoric acid, disodium salt, dodecahydrate	10039-32-4
Organorhodium Complex (PMN-82-147)	*****	Phosphoric acid, disodium salt, hydrate	10140-65-5
Oryzalin	19044-88-3	Phosphoric acid, trisodium salt, decahydrate	10361-89-4
Osmium tetroxide	20816-12-0	Phosphorus	7723-14-0
Ouabain	630-60-4	Phosphorus oxychloride	10025-87-3
Oxamyl	23135-22-0	Phosphorus pentachloride	10026-13-8
10,10'-Oxybisphenoxarsine	58-36-6	Phosphorus pentasulfide	1314-80-3
Oxydemeton methyl	301-12-2	Phosphorus pentoxide	1314-56-3
Oxydiazon	19666-30-9	Phosphorus trichloride	7719-12-2
Oxydisulfoton	2497-07-6	Phthalate esters	*****
Oxyfluorfen	42874-03-3	Phthalic anhydride	85-44-9
Ozone	10028-15-6	Physostigmine	57-47-6
Paraformaldehyde	30525-89-4	Physostigmine salicylate (1:1)	57-64-7
Paraldehyde	123-63-7	Picloram	1918-02-1
Paraquat	1910-42-5	2-Picoline	109-06-8
Paraquat methosulfate	2074-50-2	Picric acid	88-89-1
Parathion	56-38-2	Picrotoxin	124-87-8
Pebulate	1114-71-2	Piperidine	110-89-4
		Piperonyl butoxide	51-03-6
		Piprotal	5281-13-0

Name	CAS Number	Name	CAS Number
Pirimifos-ethyl (concentrations above 20%)	23505-41-1	Safrole	94-59-7
Pirimiphos methyl	29232-93-7	Salcomine	14167-18-1
Polybrominated biphenyls	*****	Sarin	107-44-8
Polychlorinated biphenyls (PCBs)	1336-36-3	Selenium	7782-49-2
Polymeric diphenylmethane diisocyanate	9016-87-9	Selenium compounds	*****
Polynuclear aromatic hydrocarbons	*****	Selenium dioxide	7446-08-4
Potassium arsenate	7784-41-0	Selenium oxychloride	7791-23-3
Potassium arsenite	10124-50-2	Selenium sulfide	7488-56-4
Potassium bichromate	7778-50-9	Selenium tetrakis(dimethyldithiocarbamate)	144-34-3
Potassium bromate	7758-01-2	Selenous acid	7783-00-8
Potassium chromate	7789-00-6	Semicarbazide hydrochloride	563-41-7
Potassium cyanide	151-50-8	Sethoxydim	74051-80-2
Potassium dimethyldithiocarbamate	128-03-0	Silane*	7803-62-5
Potassium hydroxide	1310-58-3	Silver	7440-22-4
Potassium n-hydroxymethyl-n-methyldithio- carbamate	51026-28-9	Silver compounds	*****
Potassium N-methyldithiocarbamate	137-41-7	Silver cyanide	506-64-9
Potassium permanganate	7722-64-7	Silver nitrate	7761-88-8
Potassium silver cyanide	506-61-6	Silvex	93-72-1
Powder cake	*****	Simazine	122-34-9
Powder, smokeless	*****	Sodium	7440-23-5
Profenofos	41198-08-7	Sodium arsenate	7631-89-2
Promecarb	2631-37-0	Sodium arsenite	7784-46-5
Prometryn	7287-19-6	Sodium azide (concentrations above 0.5%)	26628-22-8
Pronamide	23950-58-5	Sodium bichromate	10588-01-9
Propachlor	1918-16-7	Sodium bifluoride	1333-83-1
Propadiene*	463-49-0	Sodium bisulfite	7631-90-5
2-Propanamine	75-31-0	Sodium cacodylate	124-65-2
1-Propanamine	107-10-8	Sodium chromate	7775-11-3
Propane*	74-98-6	Sodium cyanide	143-33-9
1,3-Propane sultone	1120-71-4	Sodium dibutyldithiocarbamate	136-30-1
Propanil	709-98-8	Sodium dicamba	1982-69-0
Propargite	2312-35-8	Sodium diethyldithiocarbamate	148-18-5
Propargyl alcohol	107-19-7	Sodium dimethyldithiocarbamate	128-04-1
Propargyl bromide	106-96-7	Sodium dodecylbenzenesulfonate	25155-30-0
Propetamphos	31218-83-4	Sodium fluoride	7681-49-4
Propham	122-49-9	Sodium fluoroacetate	62-74-8
Propiconazole	60207-90-1	Sodium hexametaphosphate	10124-56-8
beta-Propiolactone	57-57-8	Sodium hydrosulfide	16721-80-5
Propionaldehyde	123-38-6	Sodium hydroxide	1310-73-2
Propionic acid	79-09-4	Sodium hypochlorite	7681-52-9
Propionic anhydride	123-62-6	Sodium hypochlorite, pentahydrate	10022-70-5
Propionitrile	107-12-0	Sodium methylate	124-41-4
Propoxur (concentrations above 2%)	114-26-1	Sodium nitrite	7632-00-0
Propyl chloroformate	109-61-5	Sodium pentachlorophenate	131-52-2
Propylene*	115-07-1	Sodium o-phenylphenoxide	132-27-4
Propyleneimine	75-55-8	Sodium phosphate dibasic	7558-79-4
Propylene oxide	75-56-9	Sodium selenate	13410-01-0
Propyne*	74-99-7	Sodium selenite	7782-82-3
Prosulfocarb	52888-80-9		10102-18-8
Prothoate	2275-18-5	Sodium tellurite	10102-20-2
Pyrene	129-00-0	Streptozotocin	18883-66-4
Pyrethrin I	121-21-1	Strobane	8001-50-1
Pyrethrin II	121-29-9	Strontium chromate	7789-06-2
Pyrethrum	8003-34-7	Strychnine	57-24-9
Pyridine	110-86-1	Strychnine salts	*****
Pyriminil	53558-25-1	Strychnine, sulfate	60-41-3
Quinoline	91-22-5	Styrene	100-42-5
Quinone	106-51-4	Styrene oxide	96-09-3
Quizalofop-ethyl	76578-14-8	Sulfallate	95-06-7
Radionuclides	*****	Sulfotep	3689-24-5
Reserpine	50-55-5	Sulfur chloride	12771-08-3
Resmethrin	10453-86-8	Sulfur dioxide	7446-09-5
Resorcinol	108-46-3	Sulfuric acid	7664-93-9
Saccharin	81-07-2		8014-95-7
Saccharin salts	*****	Sulfur tetrafluoride	7783-60-0
		Sulfur trioxide	7446-11-9

Name	CAS Number	Name	CAS Number
Sulfuryl fluoride	2699-79-8	Toluene	108-88-3
Sulprofos	35400-43-2	Toluene diisocyanate (mixed isomers)	26471-62-5
2,4,5-T amines	1319-72-8	Toluene-2,4-diisocyanate	584-84-9
	2008-46-0	Toluene-2,6-diisocyanate	91-08-7
	3813-14-7	o-Toluidine	95-53-4
	6369-96-6	p-Toluidine	106-49-0
	6369-97-7	o-Toluidine hydrochloride	636-21-5
2,4,5-T sodium salt	13560-99-1	Toxaphene	8001-35-2
Tabun	77-81-6	Triadimefon	43121-43-3
Tebuthiuron	34014-18-1	Triallate	2303-17-5
Tellurium	13494-80-9	Triamiphos	1031-47-6
Tellurium hexafluoride	7783-80-4	Triaziquone	68-76-8
Temephos	3383-96-8	Triazofos	24017-47-8
Terbacil	5902-51-2	Tribasic sodium phosphate dodecahydrate	10101-89-0
Terbufos	13071-79-9	Tribenuron methyl	101200-48-0
Tetrabutylthiuram disulfide	1634-02-2	Tributyltin fluoride	1983-10-4
1,2,4,5-Tetrachlorobenzene	95-94-3	Tributyltin methacrylate	2155-70-6
2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)	1746-01-6	S,S,S-Tributyltrithiophosphate	78-48-8
1,1,1,2-Tetrachloroethane	630-20-6	Trichlorfon (concentrations above 15%)	52-68-6
1,1,2,2-Tetrachloroethane	79-34-5	Trichloroacetaldehyde	75-87-6
Tetrachloroethylene	127-18-4	Trichloroacetyl chloride	76-02-8
1,1,1,2-Tetrachloro-2-fluoroethane		1,2,4-Trichlorobenzene	120-82-1
(HCFC-121a)*	354-11-0	Trichloro(chloromethyl)silane	1558-25-4
1,1,2,2-Tetrachloro-1-fluoroethane		Trichloro(dichlorophenyl)silane	27137-85-5
(HCFC-121)*	354-14-3	1,1,1-Trichloroethane	71-55-6
2,3,4,6-Tetrachlorophenol	58-90-2	1,1,2-Trichloroethane	79-00-5
Tetrachlorvinphos	961-11-5	Trichloroethylene	79-01-6
Tetracycline hydrochloride	64-75-5	Trichloroethylsilane	115-21-9
Tetraethyllead	78-00-2	Trichlorofluoromethane (CFC-11)	75-69-4
Tetraethylpyrophosphate (TEPP)	107-49-3	Trichloronate	327-98-0
Tetraethyltin	597-64-8	Trichlorophenol	25167-82-2
Tetrafluoroethylene*	116-14-3	2,3,4-Trichlorophenol	15950-66-0
Tetrahydrofuran	109-99-9	2,3,5-Trichlorophenol	933-78-8
Tetramethrin	7696-12-0	2,3,6-Trichlorophenol	933-75-5
Tetramethyllead	75-74-1	2,4,5-Trichlorophenol	95-95-4
Tetramethylsilane*	75-76-3	2,4,6-Trichlorophenol	88-06-2
Tetranitroaniline	53014-37-2	3,4,5-Trichlorophenol	609-19-8
Tetranitromethane	509-14-8	2,4,5-Trichlorophenoxyacetic acid (2,4,5-T)	93-76-5
Tetrazene	109-27-3	2,4,5-Trichlorophenoxyacetic acid butyl ester	93-79-8
Thallic oxide	1314-32-5	2,4,5-Trichlorophenoxyacetic acid 2-butoxy-	
Thallium	7440-28-0	ethyl ester	2545-59-7
Thallium(I) acetate	563-68-8	2,4,5-Trichlorophenoxyacetic acid 2-ethylhexyl	
Thallium compounds	*****	ester	1928-47-8
Thallium(I) nitrate	10102-45-1	2,4,5-Trichlorophenoxyacetic acid isooctyl es-	
Thallium(I) selenide	12039-52-0	ter	25168-15-4
Thallium sulfate	10031-59-1	2,4,5-Trichlorophenoxyacetic acid 1-methyl	
Thallos carbonate	6533-73-9	propyl ester	61792-07-2
Thallos chloride	7791-12-0	2-(2,4,5-Trichlorophenoxy)propanoic acid	
Thallos malonate	2757-18-8	isooctyl ester	32534-95-5
Thallos sulfate	7446-18-6	Trichlorophenylsilane	98-13-5
Thiabendazole	148-79-8	1,2,3-Trichloropropane	96-18-4
Thioacetamide	62-55-5	Trichlorosilane	10025-78-2
Thiobencarb	28249-77-6	Triclopyr triethylammonium salt	57213-69-1
2,2'-Thiobis(4-chloro-6-methyl)phenol	4418-66-0	Triethanolamine dodecylbenzene sulfonate	27323-41-7
Thiocarbazine	2231-57-4	Triethoxysilane	998-30-1
4,4'-Thiodianiline	139-65-1	Triethylamine	121-44-8
Thiodicarb	59669-26-0	Trifluorochloethylene	79-38-9
Thiofanox	39196-18-4	3-(Trifluoromethyl)benzenamine	98-16-8
Thionazin	297-97-2	Trifluralin	1582-09-8
Thiophanate ethyl	23564-06-9	Triforine	26644-46-2
Thiophanate methyl	23564-05-8	Trimethylamine	75-50-3
Thiosemicarbazide	79-19-6	2,4,6-Trimethylaniline	88-05-1
Thiourea	62-56-6	1,2,4-Trimethylbenzene	95-63-6
Thiram	137-26-8	Trimethylchlorosilane	75-77-4
Thorium dioxide	1314-20-1	2,2,4-Trimethylhexamethylene diisocyanate	16938-22-0
Titanium tetrachloride	7550-45-0	2,4,4-Trimethylhexamethylene diisocyanate	15646-96-5
o-Tolidine dihydrochloride	612-82-2	Trimethylolpropane phosphite	824-11-3
o-Tolidine dihydrofluoride	41766-75-0	2,2,4-Trimethylpentane	540-84-1

Name	CAS Number
2,3,5-Trimethylphenyl methylcarbamate	2655-15-4
Trimethyltin chloride	1066-45-1
Trinitroaniline	26952-42-1
Trinitroanisole	606-35-9
Trinitrobenzenesulfonic acid	2508-19-2
1,3,5-Trinitrobenzene	99-35-4
Trinitrobenzoic acid	129-66-8
Trinitrochlorobenzene	28260-61-9
Trinitro-m-cresol	602-99-3
Trinitrofluorenone	25322-14-9
Trinitronaphthalene	55810-17-8
Trinitrophenetole	4732-14-3
Trinitrophenylmethyl nitramine	479-45-8
Trinitroresorcinol	82-71-3
Trinitrotoluene	118-96-7
Triphenyltin chloride	639-58-7
Triphenyltin hydroxide (conc. above 10%)	76-87-9
Tris(2-chloroethyl)amine	555-77-1
Tris(2,3-dibromopropyl) phosphate	126-72-7
Trisodium phosphate	7601-54-9
Tritonal	54413-15-9
Trypan blue	72-57-1
Uracil mustard	66-75-1
Uranyl acetate	541-09-3
Uranyl nitrate	10102-06-4
Urea nitrate	36478-76-9
Urethane	124-47-0
Valinomycin	51-79-6
Vanadium (fume or dust)	2001-95-8
Vanadium pentoxide	7440-62-2
Vanadyl sulfate	1314-62-1
Vernolate	27774-13-6
Vinclozolin	1929-77-7
Vinyl acetate	50471-44-8
Vinyl acetylene*	108-05-4
Vinyl bromide	689-97-4
Vinyl chloride*	593-60-2
Vinyl ethyl ether*	75-01-4
Vinyl fluoride*	109-92-2
Vinylidene chloride*	75-02-5
Vinylidene fluoride*	75-35-4
Vinyl methyl ether*	75-38-7
Warfarin (concentrations above 3%)	107-25-5
Warfarin salts (concentrations above 3%)	81-81-2
Warfarin sodium	****
Xylene (mixed isomers)	129-06-6
m-Xylene	1330-20-7
o-Xylene	108-38-3
p-Xylene	95-47-6
Xylenol	106-42-3
2,6-Xylidine	1300-71-6
Xylylene dichloride	87-62-7
Zinc (fume or dust)	28347-13-9
Zinc acetate	7440-66-6
Zinc ammonium chloride (Zn.Cl ₄ .2H ₄ -N)	557-34-6
Zinc ammonium chloride (Zn.Cl ₅ .3H ₄ -N)	14639-97-5
Zinc ammonium chloride	14639-98-6
Zinc borate	52628-25-8
Zinc bromide	1332-07-6
Zinc carbonate	7699-45-8
Zinc chloride	3486-35-9
Zinc compounds	7646-85-7
Zinc cyanide	****
Zinc fluoride	557-21-1
Zinc formate	7783-49-5
Zinc hydrosulfite	557-41-5
Zinc nitrate	7779-86-4
	7779-88-6

Name	CAS Number
Zinc phenolsulfonate	127-82-2
Zinc phosphide (concentrations greater than 10%)	1314-84-7
Zinc silicofluoride	16871-71-9
Zinc sulfate	7733-02-0
Zineb	12122-67-7
Ziram	137-30-4
Zirconium nitrate	13746-89-9
Zirconium potassium fluoride	16923-95-8
Zirconium sulfate	14644-61-2
Zirconium tetrachloride	10026-11-6

LIST OF HAZARDOUS SUBSTANCES (Listed by CAS Number)

CAS Number	Name
*****	Antimony compounds
*****	Arsenic compounds
*****	Barium compounds
*****	Beryllium compounds
*****	Black powder
*****	Cadmium compounds
*****	Chlordane metabolites
*****	Chlorinated benzenes
*****	Chlorinated ethanes
*****	Chlorinated naphthalene
*****	Chlorinated phenols
*****	Chloroalkyl ethers
*****	Chlorophenols
*****	Chromium compounds
*****	Cobalt compounds
*****	Coke oven emissions
*****	Copper compounds
*****	Cyanide compounds
*****	DDT metabolites
*****	Dichloroethylenes (1,1-, and 1,2-Dichloro-ethylene)
*****	Endosulfan metabolites
*****	Endrin metabolites
*****	Ethylenebisdithiocarbamic acid, salts and esters
*****	F001: The following spent halogenated solvents used in degreasing; all spent solvent mixtures/blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those listed in F002, F004, and F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures: (a) tetrachloroethylene; (b) trichloroethylene; (c) methylene chloride; (d) 1,1,1-trichloroethane; (e) carbon tetrachloride; (f) chlorinated fluorocarbons
*****	F002: The following spent halogenated solvents; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those listed in F001, F004, or F005; and still bottoms from the recovery of these spent solvents and spent solvent mixtures: (a) tetrachloroethylene; (b) methylene chloride; (c) trichloroethylene; (d) 1,1,1-trichloroethane; (e) chlorobenzene; (f) 1,1,2-trichloro-1,2,2-trifluoroethane; (g) o-dichlorobenzene; (h) trichlorofluoromethane; (i) 1,1,2-trichloroethane

CAS Number	Name	CAS Number	Name
*****	F003: The following spent non-halogenated solvents and the still bottoms from the recovery of these solvents: (a) xylene; (b) acetone; (c) ethyl acetate; (d) ethylbenzene; (e) ethyl ether; (f) methyl isobutyl ketone; (g) n-butyl alcohol; (h) cyclohexanone; (i) methanol	*****	F022: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzenes under alkaline conditions.
*****	F004: The following spent non-halogenated solvents and the still bottoms from the recovery of these solvents: (a) cresols/cresylic acid; (b) nitrobenzene	*****	F023: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- and tetrachlorophenols. (This listing does not include wastes from equipment used only for the production or use of hexachlorophene from highly purified 2,4,5-trichlorophenol.)
*****	F005: The following spent non-halogenated solvents and the still bottoms from the recovery of these solvents: (a) toluene; (b) methyl ethyl ketone; (c) carbon disulfide; (d) isobutanol; (e) pyridine	*****	F024: Wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor cleanout wastes, from the production of chlorinated aliphatic hydrocarbons, having carbon content from one to five, utilizing free radical catalyzed processes. (This listing does not include light ends, spent filters and filter aids, spent dessicants(sic), wastewater, wastewater treatment sludges, spent catalysts, and wastes listed in 40 CFR 261.32.)
*****	F006: Wastewater treatment sludges from electroplating operations except from the following processes: (1) sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning/stripping associated with tin, zinc and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.	*****	F025: Condensed light ends, spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.
*****	F007: Spent cyanide plating bath solutions from electroplating operations.	*****	F026: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tetra-, penta-, or hexachlorobenzene under alkaline conditions.
*****	F008: Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.	*****	F027: Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)
*****	F009: Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.	*****	F028: Residues resulting from the incineration or thermal treatment of soil contaminated with EPA Hazardous Waste Nos. F020, F021, F022, F023, F026, and F027.
*****	F010: Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.	*****	F032: Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drip-page, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have
*****	F011: Spent cyanide solution from salt bath pot cleaning from metal heat treating operations.		
*****	F012: Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.		
*****	F019: Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.		
*****	F020: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives. (This listing does not include wastes from the production of hexachlorophene from highly purified 2,4,5-trichlorophenol.)		
*****	F021: Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of pentachlorophenol, or of intermediates used to produce its derivatives.		

CAS Number	Name	CAS Number	Name
*****	had the F032 waste code deleted in accordance with 40 CFR 261.35 or potentially cross-contaminated wastes that are otherwise currently regulated as hazardous wastes (i.e. F034 or F035), and where the generator does not resume or initiate the use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****	K006: Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).
*****	F034: Wastewaters (except those that have not come into contact with the process contaminants), process residuals, preservative drip-page, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****	K007: Wastewater treatment sludge from the production of iron blue pigments.
*****	F035: Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drip-page, and spent formulations from wood preserving processes generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or pentachlorophenol.	*****	K008: Oven residue from the production of chrome oxide green pigments.
*****	F037: Petroleum refinery primary oil/water/solids separation sludge—Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries.	*****	K009: Distillation bottoms from the production of acetaldehyde from ethylene.
*****	F038: Petroleum refinery secondary (emulsified) oil/water/solids separation sludge—Any sludge and/or float generated from the physical and/or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries.	*****	K010: Distillation side cuts from the production of acetaldehyde from ethylene.
*****	Flash powder	*****	K011: Bottom stream from the wastewater stripper in the production of acrylonitrile.
*****	Glycol ethers	*****	K013: Bottom stream from the acetonitrile column in the production of acrylonitrile.
*****	Guanyl nitrosaminoguanilidene hydrazine	*****	K014: Bottoms from the acetonitrile purification column in the production of acrylonitrile.
*****	Haloethers	*****	K015: Still bottoms from the distillation of benzyl chloride.
*****	Halomethanes	*****	K016: Heavy ends or distillation residues from the production of carbon tetrachloride.
*****	Heptachlor metabolites	*****	K017: Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.
*****	Hexatol, cast	*****	K018: Heavy ends from the fractionation column in ethyl chloride production.
*****	K001: Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote and/or pentachlorophenol.	*****	K019: Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.
*****	K002: Wastewater treatment sludge from the production of chrome yellow and orange pigments.	*****	K020: Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.
*****	K003: Wastewater treatment sludge from the production of molybdate orange pigments.	*****	K021: Aqueous spent antimony catalyst waste from fluoromethanes production.
*****	K004: Wastewater treatment sludge from the production of zinc yellow pigments.	*****	K022: Distillation bottom tars from the production of phenol/acetone from cumene.
*****	K005: Wastewater treatment sludge from the production of chrome green pigments.	*****	K023: Distillation light ends from the production of phthalic anhydride from naphthalene.
		*****	K024: Distillation bottoms from the production of phthalic anhydride from naphthalene.
		*****	K025: Distillation bottoms from the production of nitrobenzene by the nitration of benzene.
		*****	K026: Stripping still tails from the production of methyl ethyl pyridines.
		*****	K027: Centrifuge and distillation residues from toluene diisocyanate production.
		*****	K028: Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.
		*****	K029: Waste from the product steam stripper in the production of 1,1,1-trichloroethane.
		*****	K030: Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.
		*****	K031: By-product salts generated in the production of MSMA and cacodylic acid.
		*****	K032: Wastewater treatment sludge from the production of chlordane.
		*****	K033: Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.

CAS Number	Name	CAS Number	Name
*****	K034: Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	*****	K073: Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.
*****	K035: Wastewater treatment sludges generated in the production of creosote.	*****	K083: Distillation bottoms from aniline extraction.
*****	K036: Still bottoms from toluene reclamation distillation in the production of disulfoton.	*****	K084: Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
*****	K037: Wastewater treatment sludges from the production of disulfoton.	*****	K085: Distillation or fractionation column bottoms from the production of chlorobenzenes.
*****	K038: Wastewater from the washing and stripping of phorate production.	*****	K086: Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.
*****	K039: Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	*****	K087: Decanter tank tar sludge from coking operations.
*****	K040: Wastewater treatment sludge from the production of phorate.	*****	K088: Spent potliners from primary aluminum reduction.
*****	K041: Wastewater treatment sludge from the production of toxaphene.	*****	K090: Emission control dust or sludge from ferrochromiumsilicon production.
*****	K042: Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	*****	K091: Emission control dust or sludge from ferrochromium production.
*****	K043: 2,6-Dichlorophenol waste from the production of 2,4-D.	*****	K093: Distillation light ends from the production of phthalic anhydride from ortho-xylene.
*****	K044: Wastewater treatment sludges from the manufacturing and processing of explosives.	*****	K094: Distillation bottoms from the production of phthalic anhydride from ortho-xylene.
*****	K045: Spent carbon from the treatment of wastewater containing explosives.	*****	K095: Distillation bottoms from the production of 1,1,1-trichloroethane.
*****	K046: Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	*****	K096: Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.
*****	K047: Pink/red water from TNT operations.	*****	K097: Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.
*****	K048: Dissolved air flotation (DAF) float from the petroleum refining industry.	*****	K098: Untreated process wastewater from the production of toxaphene.
*****	K049: Slop oil emulsion solids from the petroleum refining industry.	*****	K099: Untreated wastewater from the production of 2,4-D.
*****	K050: Heat exchanger bundle cleaning sludge from the petroleum refining industry.	*****	K100: Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.
*****	K051: API separator sludge from the petroleum refining industry.	*****	K101: Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
*****	K052: Tank bottoms (leaded) from the petroleum refining industry.	*****	K102: Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.
*****	K060: Ammonia still lime sludge from coking operations.	*****	K103: Process residues from aniline extraction from the production of aniline.
*****	K061: Emission control dust/sludge from the primary production of steel in electric furnaces.	*****	K104: Combined wastewater streams generated from nitrobenzene/aniline production.
*****	K062: Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).	*****	K105: Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.
*****	K064: Acid plant blowdown slurry/sludge resulting from thickening of blowdown slurry from primary copper production.	*****	K106: Wastewater treatment sludge from the mercury cell process in chlorine production.
*****	K065: Surface impoundment solids contained in and dredged from surface impoundments at primary lead smelting facilities.		
*****	K066: Sludge from treatment of process wastewater and/or acid plant blowdown from primary zinc production.		
*****	K069: Emission control dust/sludge from secondary lead smelting.		
*****	K071: Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.		

CAS Number	Name	CAS Number	Name
*****	K107: Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****	K136: Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.
*****	K108: Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****	K141: Process related from the recovery of coal tar, including, but not limited to, tar collecting sump residues from the production of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations.)
*****	K109: Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****	K142: Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.
*****	K110: Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	*****	K143: Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.
*****	K111: Product washwaters from the production of dinitrotoluene via nitration of toluene.	*****	K144: Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products from coal.
*****	K112: Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****	K145: Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.
*****	K113: Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****	K147: Tar storage tank residues from coal tar refining.
*****	K114: Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****	K148: Residues from coal tar distillation, including, but not limited to, still bottoms.
*****	K115: Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	*****	K149: Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)
*****	K116: Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	*****	K150: Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.
*****	K117: Wastewater from the reactor vent gas scrubber in the production of ethylene bromide via bromination of ethene.	*****	K151: Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.
*****	K118: Spent absorbent solids from purification of ethylene dibromide in the production of ethylene dibromide.	*****	K156: Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.
*****	K123: Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenbisdithiocarbamic acid and its salts.	*****	K157: Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes (This listing does not include sludges derived from the treatment of these wastewaters).
*****	K124: Reactor vent scrubber water from the production of ethylenbisdithiocarbamic acid and its salts.		
*****	K125: Filtration, evaporation, and centrifugation solids from the production of ethylenbisdithiocarbamic acid and its salts.		
*****	K126: Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenbisdithiocarbamic acid and its salts.		
*****	K131: Wastewater from the reactor and spent sulfuric acid from the acid dryer in the production of methyl bromide.		
*****	K132: Spent absorbent and wastewater solids from the production of methyl bromide.		

CAS Number	Name	CAS Number	Name
*****	K158: Bag house dust and filter/separation solids from the production of carbamates and carbamoyl oximes.	56-49-5	3-Methylcholanthrene
*****	K159: Organics from the treatment of thiocarbamate wastes.	56-53-1	Diethylstilbestrol
*****	K160: Solids (including filter wastes, separation solids, and spent catalysts) from the production of thiocarbamates and solids from the treatment of thiocarbamate wastes.	56-55-3	Benzanthracene
*****	K161: Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust, and floor sweepings from the production of dithiocarbamate acids and their salts (This listing does not include K125 or K126).	56-72-4	Coumaphos (concentrations above 5%)
*****	Lead compounds	57-12-5	Cyanide
*****	Manganese compounds	57-14-7	1,1-Dimethylhydrazine
*****	Mercury compounds	57-24-9	Strychnine
*****	Nickel compounds	57-33-0	Pentobarbital sodium
*****	Nicotine salts	57-41-0	Phenytoin
*****	Nitrate compounds (water dissociable)	57-47-6	Physostigmine
*****	Nitrosamines	57-57-8	beta-Propiolactone
*****	Organorhodium Complex (PMN-82-147)	57-64-7	Physostigmine salicylate (1:1)
*****	Phthalate esters	57-74-9	Chlordane
*****	Polybrominated biphenyls	57-97-6	7,12-Dimethylbenzanthracene
*****	Polynuclear aromatic hydrocarbons	58-36-6	10,10'-Oxybisphenoxarsine
*****	Powder cake	58-89-9	Lindane (concentrations above 20%)
*****	Powder, smokeless	58-90-2	2,3,4,6-Tetrachlorophenol
*****	Radionuclides	59-50-7	4-Chloro-m-cresol
*****	Saccharin salts	59-88-1	Phenylhydrazine hydrochloride
*****	Selenium compounds	59-89-2	N-Nitrosomorpholine
*****	Silver compounds	60-00-4	Ethylenediamine-tetraacetic acid (EDTA)
*****	Strychnine salts	60-09-3	4-Aminoazobenzene
*****	Thallium compounds	60-11-7	4-Dimethylaminoazobenzene
*****	Warfarin salts (concentrations above 3%)	60-29-7	Ethyl ether*
*****	Zinc compounds	60-34-4	Methyl hydrazine
50-00-0	Formaldehyde	60-35-5	Acetamide
50-07-7	Mitomycin C	60-41-3	Strychnine, sulfate
50-14-6	Ergocalciferol	60-51-5	Dimethoate (concentrations above 25%)
50-18-0	Cyclophosphamide	60-57-1	Dieldrin
50-29-3	Dichlorodiphenyltrichloroethane (DDT)	61-82-5	Amitrole
50-32-8	Benzopyrene	62-38-4	Phenylmercuric acetate
50-55-5	Reserpine	62-44-2	Phenacetin
51-03-6	Piperonyl butoxide	62-50-0	Ethyl methanesulfonate
51-21-8	Fluorouracil	62-53-3	Aniline
51-28-5	2,4-Dinitrophenol	62-55-5	Thioacetamide
51-43-4	Epinephrine	62-56-6	Thiourea
51-75-2	Nitrogen mustard	62-73-7	Dichlorvos (concentrations above 3%)
51-79-6	Urethane	62-74-8	Sodium fluoroacetate
51-83-2	Carbachol chloride	62-75-9	N-Nitrosodimethylamine
52-51-7	Bronopol	63-25-2	Carbaryl
52-68-6	Trichlorfon (concentrations above 15%)	64-00-6	3-(1-Methylethyl)phenol methylcarbamate
52-85-7	Famphur	64-18-6	Formic acid
53-70-3	Dibenzanthracene	64-19-7	Acetic acid
53-96-3	2-Acetylaminofluorene	64-67-5	Diethyl sulfate
54-11-5	Nicotine	64-75-5	Tetracycline hydrochloride
54-62-6	Aminopterin	64-86-8	Colchicine
55-18-5	N-Nitrosodiethylamine	65-30-5	Nicotine sulfate
55-21-0	Benzamide	65-85-0	Benzoic acid
55-38-9	Fenthion (conc. above 0.5%)	66-75-1	Uracil mustard
55-63-0	Nitroglycerin	66-81-9	Cycloheximide
55-91-4	Isofluorophate	67-56-1	Methanol
56-04-2	Methylthiouracil	67-63-0	Isopropyl alcohol
56-23-5	Carbon tetrachloride	67-64-1	Acetone
56-25-7	Cantharidin	67-66-3	Chloroform
56-38-2	Parathion	67-72-1	Hexachloroethane
		68-12-2	N,N-Dimethylformamide
		68-76-8	Triaziquone
		70-25-7	N-Methyl-N'-nitro-N-nitrosoguanidine
		70-30-4	Hexachlorophene
		70-69-9	p-Aminopropiophenone
		71-36-3	n-Butyl alcohol
		71-43-2	Benzene
		71-55-6	1,1,1-Trichloroethane
		71-63-6	Digitoxin
		72-20-8	Endrin
		72-43-5	Methoxychlor

CAS Number	Name	CAS Number	Name
72-54-8	Dichlorodiphenyldichloroethane (DDD)	76-06-2	Chloropicrin
72-55-9	1,1-Dichloro-2,2-bis(p-chlorophenyl)ethylene (DDE)	76-13-1	Freon 113
72-57-1	Trypan blue	76-14-2	Dichlorotetrafluoroethane (CFC-114)
74-45-6	Chlorodifluoromethane (HCFC-22)*	76-15-3	Chloropentafluoroethane (CFC-115)*
74-82-8	Methane*	76-44-8	Heptachlor
74-83-9	Methyl bromide	76-87-9	Triphenyltin hydroxide (conc. above 10%)
74-84-0	Ethane*	77-47-4	Hexachlorocyclopentadiene
74-85-1	Ethylene*	77-73-6	Dicyclopentadiene
74-86-2	Acetylene*	77-78-1	Dimethyl sulfate
74-87-3	Methyl chloride	77-81-6	Tabun
74-88-4	Methyl iodide	78-00-2	Tetraethyllead
74-89-5	Methylamine	78-11-5	Pentaerythrite tetranitrate
74-90-8	Hydrogen cyanide	78-34-2	Dioxathion
74-93-1	Methyl mercaptan	78-48-8	S,S,S-Tributyltrithiophosphate
74-95-3	Methylene bromide	78-53-5	Amiton
74-98-6	Propane*	78-59-1	Isophorone
74-99-7	Propyne*	78-71-7	3,3-Bis(chloromethyl)oxetane
75-00-3	Chloroethane	78-78-4	iso-Pentane*
75-01-4	Vinyl chloride*	78-79-5	Isoprene*
75-02-5	Vinyl fluoride*	78-81-9	iso-Butylamine
75-04-7	Ethylamine	78-82-0	Isobutyronitrile
75-05-8	Acetonitrile	78-83-1	iso-Butyl alcohol
75-07-0	Acetaldehyde	78-84-2	iso-Butyraldehyde
75-08-1	Ethyl mercaptan	78-87-5	1,2-Dichloropropane
75-09-2	Methylene chloride	78-88-6	2,3-Dichloropropene
75-15-0	Carbon disulfide	78-92-2	sec-Butyl alcohol
75-18-3	Dimethyl sulfide	78-93-3	Methyl ethyl ketone
75-19-4	Cyclopropane*	78-94-4	Methyl vinyl ketone
75-20-7	Calcium carbide	78-97-7	Lactonitrile
75-21-8	Ethylene oxide	78-99-9	1,1-Dichloropropane
75-25-2	Bromoform	79-00-5	1,1,2-Trichloroethane
75-27-4	Dichlorobromomethane	79-01-6	Trichloroethylene
75-28-5	iso-Butane*	79-06-1	Acrylamide
75-29-6	Isopropyl chloride*	79-09-4	Propionic acid
75-31-0	2-Propanamine	79-10-7	Acrylic acid
75-34-3	1,1-Dichloroethane	79-11-8	Chloroacetic acid
75-35-4	Vinylidene chloride*	79-19-6	Thiosemicarbazide
75-36-5	Acetyl chloride	79-21-0	Peroxyacetic acid
75-37-6	Difluoroethane	79-22-1	Methyl chloroformate
75-38-7	Vinylidene fluoride*	79-31-2	iso-Butyric acid
75-43-4	Dichlorodifluoromethane*	79-34-5	1,1,2,2-Tetrachloroethane
75-44-5	Phosgene	79-38-9	Trifluorochloroethylene
75-50-3	Trimethylamine	79-44-7	Dimethylcarbamyl chloride
75-55-8	Propyleneimine	79-46-9	2-Nitropropane
75-56-9	Propylene oxide	80-05-7	Bisphenol A
75-60-5	Cacodylic acid	80-15-9	Cumene hydroperoxide
75-63-8	Bromotrifluoromethane (Halon 1301)	80-62-6	Methyl methacrylate
75-64-9	tert-Butylamine	80-63-7	Methyl 2-chloroacrylate
75-65-0	tert-Butyl alcohol	81-07-2	Saccharin
75-68-3	1-Chloro-1,1-difluoroethane (HCFC-142b)*	81-81-2	Warfarin (concentrations above 3%)
75-69-4	Trichlorofluoromethane (CFC-11)	81-88-9	C.I. Food Red 15
75-71-8	Dichlorodifluoromethane (CFC-12)*	82-28-0	1-Amino-2-methylantraquinone
75-72-9	Chlorotrifluoromethane (CFC-13)*	82-66-6	Diphacinone (concentrations above 3%)
75-74-1	Tetramethyllead	82-68-8	Pentachloronitrobenzene
75-76-3	Tetramethylsilane*	82-71-3	Trinitroresorcinol
75-77-4	Trimethylchlorosilane	83-32-9	Acenaphthene
75-78-5	Dimethyldichlorosilane	84-66-2	Diethyl phthalate
75-79-6	Methyltrichlorosilane	84-74-2	Dibutyl phthalate
75-86-5	Acetone cyanohydrin	85-00-7	Diquat bromide
75-87-6	Trichloroacetaldehyde	85-01-8	Phenanthrene
75-88-7	2-Chloro-1,1,1-trifluoroethane (HCFC-133a)*	85-44-9	Phthalic anhydride
75-99-0	2,2-Dichloropropionic acid	85-68-7	Butyl benzyl phthalate
76-01-7	Pentachloroethane	86-30-6	N-Nitrosodiphenylamine
76-02-8	Trichloroacetyl chloride	86-50-0	Azinphos-methyl
		86-73-7	Fluorene
		86-88-4	ANTU (concentrations above 4%)

CAS Number	Name	CAS Number	Name
87-31-0	Diazodinitrophenol	97-77-8	Disulfiram
87-62-7	2,6-Xylidine	98-01-1	Furfural
87-65-0	2,6-Dichlorophenol	98-05-5	Benzenearsonic acid
87-68-3	Hexachlorobutadiene	98-07-7	Benzo-trichloride
87-86-5	Pentachlorophenol (concentrations above 5%)	98-09-9	Benzenesulfonyl chloride
88-05-1	2,4,6-Trimethylaniline	98-13-5	Trichlorophenylsilane
88-06-2	2,4,6-Trichlorophenol	98-16-8	3-(Trifluoromethyl)benzenamine
88-72-2	o-Nitrotoluene	98-82-8	Cumene
88-75-5	o-Nitrophenol	98-86-2	Acetophenone
88-85-7	Dinoseb	98-87-3	Benzal chloride
88-89-1	Picric acid	98-88-4	Benzoyl chloride
90-04-0	o-Anisidine	98-95-3	Nitrobenzene
90-43-7	2-Phenylphenol	99-08-1	m-Nitrotoluene
90-94-8	Michler's ketone	99-30-9	Dichloran
91-08-7	Toluene-2,6-diisocyanate	99-35-4	1,3,5-Trinitrobenzene
91-20-3	Naphthalene	99-55-8	5-Nitro-o-toluidine
91-22-5	Quinoline	99-59-2	5-Nitro-o-anisidine
91-58-7	2-Chloronaphthalene	99-65-0	m-Dinitrobenzene
91-59-8	2-Naphthylamine	99-98-9	Dimethyl-p-phenylenediamine
91-66-7	N,N-Diethylaniline	99-99-0	p-Nitrotoluene
91-80-5	Methapyrilene	100-01-6	p-Nitroaniline
91-93-0	3,3'-Dimethoxybenzidine-4,4'-diisocyanate	100-02-7	p-Nitrophenol
91-94-1	3,3'-Dichlorobenzidine	100-14-1	1-Chloromethyl-4-nitrobenzene
91-97-4	3,3'-Dimethyl-4,4'-diphenylene diisocyanate	100-25-4	p-Dinitrobenzene
92-52-4	Biphenyl	100-41-4	Ethylbenzene
92-67-1	4-Aminobiphenyl	100-42-5	Styrene
92-87-5	Benzidine	100-44-7	Benzyl chloride
92-93-3	4-Nitrobiphenyl	100-47-0	Benzonitrile
93-65-2	Mecoprop	100-75-4	N-Nitrosopiperidine
93-72-1	Silvex	101-05-3	Anilazine
93-76-5	2,4,5-Trichlorophenoxyacetic acid (2,4,5-T)	101-14-4	4,4'-Methylenebis(2-chloroaniline)
93-79-8	2,4,5-Trichlorophenoxyacetic acid butyl ester	101-27-9	Barban
94-11-1	2,4-Dichlorophenoxyacetic acid isopropyl ester	101-55-3	4-Bromophenyl phenyl ether
94-36-0	Benzoyl peroxide	101-61-1	4,4'-Methylenebis(N,N-dimethyl)benzenamine
94-58-6	Dihydrosafrole	101-68-8	Methylenebis(phenylisocyanate)
94-59-7	Safrole	101-77-9	4,4'-Methylenedianiline
94-74-6	Methoxone	101-80-4	4,4'-Diaminodiphenyl ether
94-75-7	2,4-Dichlorophenoxyacetic acid (2,4-D) (concentrations above 20%)	101-90-6	Diglycidyl resorcinol ether
94-79-1	2,4-Dichlorophenoxyacetic acid sec-butyl ester	102-36-3	Isocyanic acid, 3,4-dichlorophenyl ester
94-80-4	2,4-Dichlorophenoxyacetic acid n-butyl ester	103-23-1	Bis(2-ethylhexyl) adipate
94-82-6	4-(2,4-Dichlorophenoxy)butyric acid	103-85-5	Phenylthiourea
95-06-7	Sulfallate	104-12-1	p-Chlorophenyl isocyanate
95-47-6	o-Xylene	104-49-4	1,4-Phenylene diisocyanate
95-48-7	o-Cresol	104-94-9	p-Anisidine
95-50-1	o-Dichlorobenzene	105-46-4	sec-Butyl acetate
95-53-4	o-Toluidine	105-60-2	Caprolactum
95-54-5	1,2-Phenylenediamine	105-67-9	2,4-Dimethylphenol
95-57-8	o-Chlorophenol	106-42-3	p-Xylene
95-63-6	1,2,4-Trimethylbenzene	106-44-5	p-Cresol
95-69-2	p-Chloro-o-toluidine	106-46-7	p-Dichlorobenzene
95-80-7	2,4-Diaminotoluene	106-47-8	p-Chloroaniline
95-94-3	1,2,4,5-Tetrachlorobenzene	106-49-0	p-Toluidine
95-95-4	2,4,5-Trichlorophenol	106-50-3	p-Phenylenediamine
96-09-3	Styrene oxide	106-51-4	Quinone
96-12-8	1,2-Dibromo-3-chloropropane	106-88-7	1,2-Butylene oxide
96-18-4	1,2,3-Trichloropropane	106-89-8	Epichlorohydrin
96-33-3	Methyl acrylate	106-93-4	Ethylene dibromide*
96-45-7	2-Imidazolidinethione	106-96-7	Propargyl bromide
97-18-7	Bithionol	106-97-8	Butane*
97-23-4	Dichlorophene	106-98-9	1-Butene*
97-56-3	C.I. Solvent Yellow 3	106-99-0	1,3-Butadiene
97-63-2	Ethyl methacrylate	107-00-6	Ethyl acetylene*
97-74-5	Bis(dimethylthiocarbamoyl) sulfide	107-01-7	2-Butene*
		107-02-8	Acrolein
		107-05-1	Allyl chloride

CAS Number	Name	CAS Number	Name
107-06-2	Ethylene dichloride	115-10-6	Methyl ether*
107-07-3	Chloroethanol	115-11-7	Methylpropene*
107-10-8	1-Propanamine	115-21-9	Trichloroethylsilane
107-11-9	Allyl amine	115-26-4	Dimefox
107-12-0	Propionitrile	115-28-6	Chlorendic acid
107-13-1	Acrylonitrile	115-29-7	Endosulfan
107-15-3	Ethylenediamine	115-32-2	Dicofol
107-16-4	Formaldehyde cyanohydrin	115-90-2	Fensulfothion
107-18-6	Allyl alcohol	116-06-3	Aldicarb
107-19-7	Propargyl alcohol	116-14-3	Tetrafluoroethylene*
107-20-0	Chloroacetaldehyde	117-79-3	2-Aminoanthraquinone
107-21-1	Ethylene glycol	117-80-6	Dichlone
107-25-5	Vinyl methyl ether*	117-81-7	Di(2-ethylhexyl)phthalate (DEHP)
107-30-2	Chloromethyl methyl ether	117-84-0	Di-n-octyl phthalate
107-31-3	Methyl formate*	118-74-1	Hexachlorobenzene
107-44-8	Sarin	118-96-7	Trinitrotoluene
107-49-3	Tetraethylpyrophosphate (TEPP)	119-38-0	Isopropylmethylpyrazolyl dimethylcarbamate
107-92-6	Butyric acid	119-90-4	3,3'-Dimethoxybenzidine
108-05-4	Vinyl acetate	119-93-7	3,3'-Dimethylbenzidine
108-10-1	Methyl isobutyl ketone	120-12-7	Anthracene
108-23-6	Isopropyl chloroformate	120-36-5	2-(2,4-Dichlorophenoxy)propionic acid
108-24-7	Acetic anhydride	120-54-7	Bis(pentamethylene)thiuram tetrasulfide
108-31-6	Maleic anhydride	120-58-1	Isosafrole
108-38-3	m-Xylene	120-71-8	p-Cresidine
108-39-4	m-Cresol	120-80-9	Catechol
108-45-2	1,3-Phenylenediamine	120-82-1	1,2,4-Trichlorobenzene
108-46-3	Resorcinol	120-83-2	2,4-Dichlorophenol
108-60-1	Bis(2-chloroisopropyl)ether	121-14-2	2,4-Dinitrotoluene
108-88-3	Toluene	121-21-1	Pyrethrin I
108-90-7	Chlorobenzene	121-29-9	Pyrethrin II
108-91-8	Cyclohexylamine	121-44-8	Triethylamine
108-93-0	Cyclohexanol	121-69-7	Dimethylaniline
108-94-1	Cyclohexanone	121-75-5	Malathion
108-95-2	Phenol	121-82-4	Cyclotetramethylenetrinitramine
108-98-5	Benzenethiol	122-09-8	alpha,alpha-Dimethylphenethylamine
109-06-8	2-Picoline	122-14-5	Fenitrothion
109-27-3	Tetrazene	122-34-9	Simazine
109-61-5	Propyl chloroformate	122-39-4	Diphenylamine
109-66-0	Pentane*	122-49-9	Propham
109-67-1	1-Pentene*	122-66-7	1,2-Diphenylhydrazine
109-73-9	Butylamine	123-31-9	Hydroquinone
109-77-3	Malononitrile	123-33-1	Maleic hydrazide
109-86-4	2-Methoxyethanol	123-38-6	Propionaldehyde
109-89-7	Diethylamine	123-61-5	1,3-Phenylene diisocyanate
109-92-2	Vinyl ethyl ether*	123-62-6	Propionic anhydride
109-95-5	Ethyl nitrite*	123-63-7	Paraldehyde
109-99-9	Tetrahydrofuran	123-72-8	Butyraldehyde
110-00-9	Furan	123-73-9	Crotonaldehyde, (E)-
110-16-7	Maleic acid	123-86-4	n-Butyl acetate
110-17-8	Fumaric acid	123-91-1	1,4-Dioxane
110-19-0	iso-Butyl acetate	123-92-2	iso-Amyl acetate
110-54-3	n-Hexane	124-04-9	Adipic acid
110-57-6	trans-1,4-Dichlorobutene	124-40-3	Dimethylamine
110-75-8	2-Chloroethyl vinyl ether	124-41-4	Sodium methylate
110-80-5	2-Ethoxyethanol	124-47-0	Urea nitrate
110-82-7	Cyclohexane	124-48-1	Chlorodibromomethane
110-86-1	Pyridine	124-65-2	Sodium cacodylate
110-89-4	Piperidine	124-73-2	Dibromotetrafluoroethane (Halon 2402)
111-42-2	Diethanolamine	124-87-8	Picrotoxin
111-44-4	Dichloroethyl ether	126-72-7	Tris(2,3-dibromopropyl) phosphate
111-54-6	1,2-Ethanediylbiscarbamodithioic acid	126-98-7	Methylacrylonitrile
111-69-3	Adiponitrile	126-99-8	Chloroprene
111-91-1	Bis(2-chloroethoxy) methane	127-18-4	Tetrachloroethylene
114-26-1	Propoxur (concentrations above 2%)	127-82-2	Zinc phenolsulfonate
115-02-6	Azaserine	128-03-0	Potassium dimethyldithiocarbamate
115-07-1	Propylene*	128-04-1	Sodium dimethyldithiocarbamate

CAS Number	Name	CAS Number	Name
128-66-5	C.I. Vat Yellow 4	193-39-5	Indeno(1,2,3-cd)pyrene
129-00-0	Pyrene	194-59-2	7H-Dibenzo(c,g)carbazole
129-06-6	Warfarin sodium	203-65-7	Mercaptodimethur
129-17-9	C.I. Acid Blue 1, sodium salt	205-82-3	Benzo(j)fluoranthene
129-66-8	Trinitrobenzoic acid	205-99-2	Benzo(b)fluoranthene
130-15-4	1,4-Naphthalenedione	206-44-0	Fluoranthene
131-11-3	Dimethyl phthalate	207-08-9	Benzo(k)fluoranthene
131-52-2	Sodium pentachlorophenate	208-96-8	Acenaphthylene
131-73-7	Hexanitrodiphenylamine	218-01-9	Chrysene
131-74-8	Ammonium picrate	224-42-0	Dibenz(a,j)acridine
131-89-5	2-Cyclohexyl-4,6-dinitrophenol	225-51-4	Benzacridine
132-27-4	Sodium o-phenylphenoxide	226-36-8	Dibenz(a,h)acridine
132-64-9	Dibenzofuran	297-78-9	Isobenzan
133-06-2	Captan	297-97-2	Thionazin
133-07-3	Folpet	298-00-0	Methyl parathion
133-90-4	Chloramben	298-02-2	Phorate
134-29-2	o-Anisidine hydrochloride	298-04-4	Disulfoton (concentrations above 2%)
134-32-7	1-Naphthylamine	300-62-9	Amphetamine
135-20-6	Cupferron	300-76-5	Naled
136-30-1	Sodium dibutylthiocarbamate	301-04-2	Lead acetate
136-45-8	Dipropyl isocinchomeronate	301-12-2	Oxydemeton methyl
137-26-8	Thiram	302-01-2	Hydrazine
137-29-1	Copper dimethyldithiocarbamate	303-34-4	Lasiocarpine
137-30-4	Ziram	305-03-3	Chlorambucil
137-41-7	Potassium N-methyldithiocarbamate	306-83-2	2,2-Dichloro-1,1,1-trifluoroethane (HCFC-123)*
137-42-8	Metham sodium	309-00-2	Aldrin
138-89-6	p-Nitrosodimethylaniline	311-45-5	Diethyl-p-nitrophenyl phosphate
138-93-2	Disodium cyanodithioimidocarbonate	314-40-9	Bromacil
139-13-9	Nitrilotriacetic acid	315-18-4	Mexacarbate (concentrations above 2%)
139-25-3	3,3'-Dimethyldiphenylmethane-4,4'-diisocyanate	316-42-7	Emetine dihydrochloride
139-65-1	4,4'-Thiodianiline	319-84-6	alpha-BHC
140-29-4	Benzyl cyanide	319-85-7	beta-BHC
140-76-1	2-Methyl-5-vinylpyridine	319-86-8	delta-BHC
140-88-5	Ethyl acrylate	327-98-0	Trichloronate
141-32-2	Butyl acrylate	329-71-5	2,5-Dinitrophenol
141-66-2	Dicrotophos	330-54-1	Diuron
141-78-6	Ethyl acetate	330-55-2	Linuron
142-28-9	1,3-Dichloropropane	333-41-5	Diazinon (concentrations above 25%)
142-59-6	Nabam	334-88-3	Diazomethane
142-71-2	Cupric acetate	353-42-4	Boron trifluoride compound with methyl ether (1:1) (conc. above 0.0005%)
142-84-7	Dipropylamine	353-50-4	Carbonyl fluoride
143-33-9	Sodium cyanide	353-59-3	Bromochlorodifluoromethane (Halon 1211)
143-50-0	Kepone	354-11-0	1,1,1,2-Tetrachloro-2-fluoroethane (HCFC-121a)*
144-34-3	Selenium tetrakis(dimethyldithiocarbamate)	354-14-3	1,1,2,2-Tetrachloro-1-fluoroethane (HCFC-121)*
144-49-0	Fluoroacetic acid	354-23-4	1,2-Dichloro-1,1,2-trifluoroethane (HCFC-123a)*
145-73-3	Endothall	354-25-6	1-Chloro-1,1,2,2-tetrafluoroethane (HCFC-124a)*
148-18-5	Sodium diethyldithiocarbamate	357-57-3	Brucine
148-79-8	Thiabendazole	359-06-8	Fluoroacetyl chloride
148-82-3	Melphalan	371-62-0	Ethylene fluorohydrin
149-30-4	2-Mercaptobenzothiazole	379-79-3	Ergotamine tartrate
149-74-6	Dichloromethylphenylsilane	422-44-6	1,2-Dichloro-1,1,2,3,3-pentafluoropropane (HCFC-225bb)*
150-50-5	Merphos	422-48-0	2,3-Dichloro-1,1,1,2,3-pentafluoropropane (HCFC-225ba)*
150-68-5	Monuron	422-56-0	3,3-Dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)*
151-38-2	Methoxyethylmercuric acetate	431-86-7	1,2-Dichloro-1,1,3,3,3-pentafluoropropane (HCFC-225da)*
151-50-8	Potassium cyanide	460-19-5	Cyanogen
151-56-4	Ethylenimine		
152-16-9	Octamethyl pyrophosphoramidate		
156-10-5	p-Nitrosodiphenylamine		
156-60-5	1,2-trans-Dichloroethylene		
156-62-7	Calcium cyanamide		
189-55-9	Dibenzopyrene		
189-64-0	Dibenzo(a,h)pyrene		
191-24-2	Benzoperylene		
191-30-0	Dibenzo(a,l)pyrene		
192-65-4	Dibenzo(a,e)pyrene		

CAS Number	Name	CAS Number	Name
460-35-5	3-Chloro-1,1,1-trifluoropropane (HCFC-253fb)*	563-12-2	Ethion (concentrations above 6% granular and 3% other formulations)
463-49-0	Propadiene*	563-41-7	Semicarbazide hydrochloride
463-58-1	Carbonyl sulfide	563-45-1	3-Methyl-1-butene*
463-82-1	2,2-Dimethylpropane*	563-46-2	2-Methyl-1-butene*
465-73-6	Isodrin	563-47-3	3-Chloro-2-methyl-1-propene
470-90-6	Chlorfenvinfos	563-68-8	Thallium(I) acetate
479-45-8	Trinitrophenylmethylnitramine	569-64-2	C.I. Basic Green 4
492-80-8	Auramine	573-56-8	2,6-Dinitrophenol
494-03-1	Chlornaphazine	576-26-1	2,6-Dimethylphenol
496-72-0	3,4-Diaminotoluene	584-84-9	Toluene-2,4-diisocyanate
502-39-6	Methylmercuric dicyanamide	590-18-1	2-Butene-cis*
504-24-5	4-Aminopyridine	590-21-6	1-Chloropropylene*
504-60-9	1-Methylbutadiene	591-08-2	1-Acetyl-2-thiourea
505-60-2	Mustard gas	592-01-8	Calcium cyanide
506-61-6	Potassium silver cyanide	592-04-1	Mercuric cyanide
506-64-9	Silver cyanide	592-85-8	Mercuric thiocyanate
506-68-3	Cyanogen bromide	592-87-0	Lead thiocyanate
506-77-4	Cyanogen chloride	593-60-2	Vinyl bromide
506-78-5	Cyanogen iodide	594-42-3	Perchloromethylmercaptan
506-87-6	Ammonium carbonate	597-64-8	Tetraethyltin
506-96-7	Acetyl bromide	598-31-2	Bromoacetone
507-55-1	1,3-Dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)*	598-73-2	Bromotrifluorethylene*
509-14-8	Tetranitromethane	602-99-3	Trinitro-m-cresol
510-15-6	Chlorobenzilate	606-20-2	2,6-Dinitrotoluene
513-49-5	sec-Butylamine	606-35-9	Trinitroanisole
514-73-8	Dithiazanine iodide	608-73-1	Hexachlorocyclohexane (mixed isomers)
528-29-0	o-Dinitrobenzene	608-93-5	Pentachlorobenzene
532-27-4	2-Chloroacetophenone	609-19-8	3,4,5-Trichlorophenol
533-74-4	Dazomet	610-39-9	3,4-Dinitrotoluene
534-07-6	Bis(chloromethyl) ketone	612-82-2	o-Tolidine dihydrochloride
534-52-1	4,6-Dinitro-o-cresol	612-83-9	3,3'-Dichlorobenzidine dihydrochloride
535-89-7	Crimidine	614-78-8	(2-Methylphenyl)thiourea
538-07-8	Ethylbis(2-chloroethyl)amine	615-05-4	2,4-Diaminoanisole
540-59-0	1,2-Dichloroethylene	615-28-1	1,2-Phenylenediamine dihydrochloride
540-73-8	1,2-Dimethylhydrazine	615-53-2	N-Nitroso-N-methylurethane
540-84-1	2,2,4-Trimethylpentane	621-64-7	N-Nitrosodi-n-propylamine
540-88-5	tert-Butyl acetate	624-18-0	1,4-Phenylenediamine dihydrochloride
541-09-3	Uranyl acetate	624-64-6	2-Butene-trans*
541-25-3	Lewisite	624-83-9	Methyl isocyanate
541-41-3	Ethyl chloroformate	624-92-0	Methyl disulfide
541-53-7	Dithiobiuret	625-16-1	tert-Amyl acetate
541-73-1	m-Dichlorobenzene	625-55-8	Isopropyl formate
542-62-1	Barium cyanide	626-38-0	sec-Amyl acetate
542-75-6	1,3-Dichloropropene	627-11-2	Chloroethyl chloroformate
542-76-7	3-Chloropropionitrile	627-20-3	2-Pentene, (Z)-*
542-88-1	Bis(chloromethyl) ether	628-63-7	n-Amyl acetate
542-90-5	Ethylthiocyanate	628-86-4	Mercury fulminate
543-90-8	Cadmium acetate	630-10-4	Carbamimidoseleonic acid
544-18-3	Cobaltous formate	630-20-6	1,1,1,2-Tetrachloroethane
544-92-3	Copper cyanide	630-60-4	Ouabain
554-13-2	Lithium carbonate	631-61-8	Ammonium acetate
554-84-7	m-Nitrophenol	636-21-5	o-Toluidine hydrochloride
555-77-1	Tris(2-chloroethyl)amine	639-58-7	Triphenyltin chloride
556-61-6	Methyl isothiocyanate	640-19-7	Fluoroacetamide
556-64-9	Methyl thiocyanate	644-64-4	Dimetilan
556-88-7	Nitroguanidine	646-04-8	2-Pentene, (E)-*
556-89-8	Nitrourea	675-14-9	Cyanuric fluoride
557-19-7	Nickel cyanide	676-97-1	Methyl phosphonic dichloride
557-21-1	Zinc cyanide	680-31-9	Hexamethylphosphoramide
557-34-6	Zinc acetate	684-93-5	N-Nitroso-N-methylurea
557-41-5	Zinc formate	689-97-4	Vinyl acetylene*
557-98-2	2-Chloropropylene*	692-42-2	Diethylarsine
558-25-8	Methanesulfonyl fluoride	693-21-0	Diethyleneglycol dinitrate
		696-28-6	Dichlorophenylarsine
		709-98-8	Propanil

CAS Number	Name	CAS Number	Name
732-11-6	Phosmet (concentrations above 20%)	1314-20-1	Thorium dioxide
757-58-4	Hexaethyl tetraphosphate	1314-32-5	Thallic oxide
759-73-9	N-Nitroso-N-ethylurea	1314-56-3	Phosphorus pentoxide
759-94-4	Ethyl dipropylthiocarbamate (EPTC)	1314-62-1	Vanadium pentoxide
760-93-0	Methacrylic anhydride	1314-80-3	Phosphorus pentasulfide
764-41-0	1,4-Dichloro-2-butene	1314-84-7	Zinc phosphide (concentrations greater than 10%)
765-34-4	Glycidylaldehyde	1314-87-0	Lead sulfide
786-19-6	Carbophenothion	1319-72-8	2,4,5-T amines
812-04-4	1,1-Dichloro-1,2,2-trifluoroethane (HCFC-123b)*	1319-77-3	Cresol (mixed isomers)
814-49-3	Diethyl chlorophosphate	1320-18-9	2,4-Dichlorophenoxyacetic acid propylene glycol butyl ether ester
814-68-6	Acrylyl chloride	1321-12-6	Nitrotoluene (mixed isomers)
815-82-7	Cupric tartrate	1327-52-2	Arsenic acid
822-06-0	Hexamethylene-1,6-diisocyanate	1327-53-3	Arsenic trioxide (concentrations above 1.5%)
823-40-5	2,6-Diaminotoluene	1330-20-7	Xylene (mixed isomers)
824-11-3	Trimethylolpropane phosphite	1332-07-6	Zinc borate
834-12-8	Ametryn	1332-21-4	Asbestos (friable)
842-07-9	C.I. Solvent Yellow 14	1333-74-0	Hydrogen*
872-50-4	N-Methyl-2-pyrrolidone	1333-82-0	Chromic acid
900-95-8	Acetoxytriphenylstannane	1333-83-1	Sodium bifluoride
919-86-8	Methyl demeton (concentrations above 7%)	1335-32-6	Lead subacetate
920-46-7	Methacryloyl chloride	1335-87-1	Hexachloronaphthalene
924-16-3	N-Nitrosodi-n-butylamine	1336-21-6	Ammonium hydroxide
924-42-5	N-Methylolacrylamide	1336-36-3	Polychlorinated biphenyls (PCBs)
930-55-2	N-Nitrosopyrrolidine	1338-23-4	Methyl ethyl ketone peroxide
932-64-9	Nitrotriazolone	1338-24-5	Naphthenic acid
933-75-5	2,3,6-Trichlorophenol	1341-49-7	Ammonium bifluoride
933-78-8	2,3,5-Trichlorophenol	1344-28-1	Aluminum oxide (fibrous forms)
944-22-9	Fonofos	1397-94-0	Antimycin A
947-02-4	Phosfolan	1420-07-1	Dinoterb
950-10-7	Mephsfolan	1464-53-5	Diepoxybutane
950-37-8	Methidathion	1558-25-4	Trichloro(chloromethyl)silane
957-51-7	Diphenamid	1563-38-8	Carbofuran phenol
959-98-8	alpha-Endosulfan	1563-66-2	Carbofuran
961-11-5	Tetrachlorvinphos	1582-09-8	Trifluralin
989-38-8	C.I. Basic Red 1	1600-27-7	Mercuric acetate
991-42-4	Norbormide	1615-80-1	1,2-Diethylhydrazine
998-30-1	Triethoxysilane	1622-32-8	2-Chloroethanesulfonyl chloride
999-81-5	Chlormequat chloride	1634-02-2	Tetrabutylthiuram disulfide
1024-57-3	Heptachlor epoxide	1634-04-4	Methyl tert-butyl ether
1031-07-8	Endosulfan sulfate	1642-54-2	Diethylcarbamazine citrate
1031-47-6	Triamiphos	1646-88-4	Aldicarb sulfone
1066-30-4	Chromic acetate	1649-08-7	1,2-Dichloro-1,1-difluoroethane (HCFC-132b)*
1066-33-7	Ammonium bicarbonate	1689-84-5	Bromoxynil
1066-45-1	Trimethyltin chloride	1689-99-2	Bromoxynil octanoate
1072-35-1	Lead stearate (stearic acid, lead(2+) salt)	1717-00-6	1,1-Dichloro-1-fluoroethane (HCFC-141b)*
1111-78-0	Ammonium carbamate	1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD)
1114-71-2	Pebulate	1752-30-3	Acetone thiosemicarbazide
1116-54-7	N-Nitrosodiethanolamine	1762-95-4	Ammonium thiocyanate
1120-71-4	1,3-Propane sultone	1836-75-5	Nitrofen
1122-60-7	Nitrocyclohexane	1861-40-1	Benfluralin
1124-33-0	4-Nitropyridine 1-oxide	1863-63-4	Ammonium benzoate
1129-41-5	Metolcarb	1888-71-7	Hexachloropropene
1134-23-2	Cycloate	1897-45-6	Chlorothalonil
1163-19-5	Decabromodiphenyl oxide	1910-42-5	Paraquat
1185-57-5	Ferric ammonium citrate	1912-24-9	Atrazine
1194-65-6	Dichlobenil	1918-00-9	Dicamba
1300-71-6	Xylenol	1918-02-1	Picloram
1303-28-2	Arsenic pentoxide	1918-16-7	Propachlor
1303-32-8	Arsenic disulfide	1928-38-7	2,4-Dichlorophenoxyacetic acid methyl ester
1303-33-9	Arsenic trisulfide	1928-43-4	2,4-Dichlorophenoxyacetic acid 2-ethylhexyl ester (concentrations above 20%)
1306-19-0	Cadmium oxide	1928-47-8	2,4,5-Trichlorophenoxyacetic acid 2-ethylhexyl ester
1309-64-4	Antimony trioxide		
1310-58-3	Potassium hydroxide		
1310-73-2	Sodium hydroxide		
1313-27-5	Molybdenum trioxide		

CAS Number	Name	CAS Number	Name
1928-61-6	2,4-Dichlorophenoxyacetic acid propyl ester	2944-67-4	Ferric ammonium oxalate
1929-73-3	2,4-Dichlorophenoxyacetic acid butoxyethanol ester (conc. above 20%)	2971-38-2	2,4-Dichlorophenoxyacetic acid chlorocrotyl ester
1929-77-7	Vernolate	3012-65-5	Ammonium citrate dibasic
1929-82-4	Nitrapyrin	3037-72-7	(4-Aminobutyl)diethoxymethylsilane
1937-37-7	C.I. Direct Black 38	3118-97-6	C.I. Solvent Orange 7
1982-47-4	Chloroxuron	3164-29-2	Ammonium tartrate, diammonium salt
1982-69-0	Sodium dicamba	3165-93-3	4-Chloro-o-toluidine hydrochloride
1983-10-4	Tributyltin fluoride	3173-72-6	1,5-Naphthalene diisocyanate
2001-95-8	Valinomycin	3251-23-8	Cupric nitrate
2008-41-5	Butylate	3254-63-5	Phosphoric acid, dimethyl 4-(methylthio) phenyl ester
2008-46-0	2,4,5-T amines		O,O-Diethyl S-methyl dithiophosphate
2032-65-7	Methiocarb (concentrations above 2%)	3288-58-2	Temephos
2074-50-2	Paraquat methosulfate	3383-96-8	Zinc carbonate
2097-19-0	Phenylsilatrane	3486-35-9	p,p'-Dichlorodiphenylethane
2104-64-5	EPN	3547-04-4	C.I. Food Red 6
2155-70-6	Tributyltin methacrylate	3564-09-8	3-Chloropropylsulfoxide
2164-07-0	Dipotassium endothall	3569-57-1	4,5-Dichloro-2-(trifluoromethyl)benzimidazole
2164-17-2	Fluometuron	3615-21-2	Methoxone sodium salt
2212-67-1	Molinate		Sulfotep
2217-06-3	Dipicryl sulfide	3653-48-3	Chlorophacinone (concentrations 0.2% and above)
2223-93-0	Cadmium stearate	3689-24-5	5-Methylchrysene
2231-57-4	Thiocarbazine	3691-35-8	Amiton oxalate
2234-13-1	Octachloronaphthalene		Methyl phenkapton
2238-07-5	Diglycidyl ether	3697-24-3	C.I. Food Red 5
2275-18-5	Prothoate	3734-97-2	2,4,5-T amines
2300-66-5	Dimethylamine dicamba	3735-23-7	Fuberidazole
2303-16-4	Diallate	3761-53-3	Bitoscanate
2303-17-5	Triallate	3813-14-7	1-(3-Chloroallyl)-3,5,7-triaza-1-azoniaadamantane chloride
2312-35-8	Propargite	3878-19-1	Isophorone diisocyanate
2338-12-7	5-Nitrobenzotriazole	4044-65-9	Phosacetim
2349-01-2	Chinomethionat	4080-31-3	Dichlorosilane
2385-85-5	Mirex		4,4'-Diisocyanatodiphenyl ether
2439-10-3	Dodine	4098-71-9	Crotonaldehyde
2497-07-6	Oxydisulfoton	4104-14-7	Fluental
2508-19-2	Trinitrobenzenesulfonic acid	4109-96-0	2,2'-Thiobis(4-chloro-6-methyl)phenol
2524-03-0	Dimethyl phosphorochloridothioate	4128-73-8	N-Nitrosomethylvinylamine
2540-82-1	Formothion	4170-30-3	C.I. Acid Green 3
2545-59-7	2,4,5-Trichlorophenoxyacetic acid 2-butoxyethyl ester	4301-50-2	Trinitrophenetole
2556-36-7	1,4-Cyclohexane diisocyanate	4418-66-0	N,N'-Dibutylhexamethylenediamine
2570-26-5	Pentadecylamine	4549-40-0	1,1-Methylene bis(4-isocyanatocyclohexane)
2587-90-8	Methyl demeton methyl	4680-78-8	C.I. Acid Green 5
2602-46-2	C.I. Direct Blue 6	4732-14-3	Carboxin
2631-37-0	Promecarb	4835-11-4	Piprotal
2636-26-2	Cyanophos	5124-30-1	1-(o-Chlorophenyl)thiourea
2642-71-9	Azinphos-ethyl	5141-20-8	Dibenzo(a,e)fluoranthene
2646-17-5	C.I. Solvent orange 2	5234-68-4	1-Nitropyrene
2650-18-2	C.I. Acid Blue 9, diammonium salt	5281-13-0	Chlorpyrifos methyl
2655-15-4	2,3,5-Trimethylphenyl methylcarbamate	5344-82-1	Coumatetralyl
2665-30-7	Methylphosphonothioic acid-O-(4-nitro-phenyl)-O-phenyl ester	5385-75-1	Cupric oxalate
2691-41-0	Cyclotetramethylenetetranitramine	5522-43-0	Terbacil
2699-79-8	Sulfuryl fluoride	5598-13-0	Diethylene glycol dicarbamate
2702-72-9	2,4-Dichlorophenoxyacetic acid sodium salt (conc. above 20%)	5836-29-3	Ammonium oxalate, unspecified hydrate
2703-13-1	Methylphosphonothioic acid-O-ethyl O-(p-(methylthio)phenyl)ester	5893-66-3	Ammonium oxalate, monohydrate
2757-18-8	Thallous malonate	5902-51-2	C.I. Solvent Red 80
2763-96-4	Muscimol	5952-26-1	2,4,5-T amines
2764-72-9	Diquat	5972-73-6	2,4,5-T amines
2778-04-3	Endothion	6009-70-7	C.I. Acid Red 114
2832-40-8	C.I. Disperse Yellow 3	6358-53-8	Ammonium nitrate
2837-89-0	2-Chloro-1,1,1,2-tetrafluoroethane (HCFC-124)*	6369-96-6	Thallous carbonate
2921-88-2	Chlorpyrifos (concentrations above 15%)	6369-97-7	Monocrotophos
		6459-94-5	4-Chlorophenyl phenyl ether
		6484-52-2	
		6533-73-9	
		6923-22-4	
		7005-72-3	

CAS Number	Name	CAS Number	Name
7287-19-6	Prometryn	7761-88-8	Silver nitrate
7421-93-4	Endrin aldehyde	7773-06-0	Ammonium sulfamate
7428-48-0	Lead stearate	7775-11-3	Sodium chromate
7429-90-5	Aluminum (fume or dust)	7778-39-4	Arsenic acid
7439-92-1	Lead	7778-44-1	Calcium arsenate
7439-96-5	Manganese	7778-50-9	Potassium bichromate
7439-97-6	Mercury	7778-54-3	Calcium hypochlorite
7440-02-0	Nickel	7779-86-4	Zinc hydrosulfite
7440-22-4	Silver	7779-88-6	Zinc nitrate
7440-23-5	Sodium	7782-41-4	Fluorine
7440-28-0	Thallium	7782-49-2	Selenium
7440-36-0	Antimony	7782-50-5	Chlorine
7440-38-2	Arsenic	7782-63-0	Ferrous sulfate heptahydrate
7440-39-3	Barium	7782-82-3	Sodium selenite
7440-41-7	Beryllium	7782-86-7	Mercurous nitrate
7440-43-9	Cadmium	7783-00-8	Selenous acid
7440-47-3	Chromium	7783-06-4	Hydrogen sulfide
7440-48-4	Cobalt	7783-07-5	Hydrogen selenide
7440-50-8	Copper	7783-20-2	Ammonium sulfate (solution)
7440-62-2	Vanadium (fume or dust)	7783-35-9	Mercuric sulfate
7440-66-6	Zinc (fume or dust)	7783-46-2	Lead fluoride
7446-08-4	Selenium dioxide	7783-49-5	Zinc fluoride
7446-09-5	Sulfur dioxide	7783-50-8	Ferric fluoride
7446-11-9	Sulfur trioxide	7783-56-4	Antimony trifluoride
7446-14-2	Lead sulfate	7783-60-0	Sulfur tetrafluoride
7446-18-6	Thallosulfate	7783-70-2	Antimony pentafluoride
7446-27-7	Lead phosphate	7783-80-4	Tellurium hexafluoride
7447-39-4	Cupric chloride	7784-34-1	Arsenous trichloride
7487-94-7	Mercuric chloride	7784-40-9	Lead arsenate
7488-56-4	Selenium sulfide	7784-41-0	Potassium arsenate
7550-45-0	Titanium tetrachloride	7784-42-1	Arsine
7558-79-4	Sodium phosphate dibasic	7784-46-5	Sodium arsenite
7580-67-8	Lithium hydride	7785-84-4	Metaphosphoric acid, trisodium salt
7601-54-9	Trisodium phosphate	7786-34-7	Mevinphos
7631-89-2	Sodium arsenate	7786-81-4	Nickel sulfate
7631-90-5	Sodium bisulfite	7787-47-5	Beryllium chloride
7632-00-0	Sodium nitrite	7787-49-7	Beryllium fluoride
7637-07-2	Boron trifluoride	7787-55-5	Beryllium nitrate
7645-25-2	Lead arsenate, unspecified	7788-98-9	Ammonium chromate
7646-85-7	Zinc chloride	7789-00-6	Potassium chromate
7647-01-0	Hydrogen chloride	7789-06-2	Strontium chromate
7647-18-9	Antimony pentachloride	7789-09-5	Ammonium bichromate
7664-38-2	Phosphoric acid	7789-42-6	Cadmium bromide
7664-39-3	Hydrogen fluoride	7789-43-7	Cobaltous bromide
7664-41-7	Ammonia	7789-61-9	Antimony tribromide
7664-93-9	Sulfuric acid	7790-94-5	Chlorosulfonic acid
7681-49-4	Sodium fluoride	7790-98-9	Ammonium perchlorate
7681-52-9	Sodium hypochlorite	7791-12-0	Thallos chloride
7696-12-0	Tetramethrin	7791-21-1	Chlorine monoxide*
7697-37-2	Nitric acid	7791-23-3	Selenium oxychloride
7699-45-8	Zinc bromide	7803-51-2	Phosphine
7705-08-0	Ferric chloride	7803-55-6	Ammonium vanadate
7718-54-9	Nickel(II) chloride	7803-62-5	Silane*
7719-12-2	Phosphorus trichloride	8001-35-2	Toxaphene
7720-78-7	Ferrous sulfate	8001-50-1	Strobane
7722-64-7	Potassium permanganate	8001-58-9	Creosote
7722-84-1	Hydrogen peroxide (Conc. > 52%)	8003-19-8	Dichloropropane-Dichloropropene (mixture)
7723-14-0	Phosphorus	8003-34-7	Pyrethrum
7726-95-6	Bromine	8014-95-7	Sulfuric acid
7733-02-0	Zinc sulfate	8065-48-3	Demeton
7738-94-5	Chromic acid (H ₂ CrO ₄)	8066-33-9	Pentolite
7758-01-2	Potassium bromate	9004-70-0	Nitrocellulose (dry or wetted with less than 25 percent water (or alcohol) by mass)
7758-29-4	Pentasodium triphosphate	9004-70-0	Nitrocellulose (unmodified or plasticized with less than 18 percent plasticizing substance, by mass)
7758-94-3	Ferrous chloride		
7758-95-4	Lead chloride		
7758-98-7	Cupric sulfate		

CAS Number	Name	CAS Number	Name
9006-42-2	Metiram	12135-76-1	Ammonium sulfide
9016-87-9	Polymeric diphenylmethane diisocyanate	12427-38-2	Maneb
9056-38-6	Nitrostarch	12642-23-8	Aroclor 5442
10022-70-5	Sodium hypochlorite, pentahydrate	12672-29-6	Aroclor 1248
10025-73-7	Chromic chloride	12674-11-2	Aroclor 1016
10025-78-2	Trichlorosilane	12771-08-3	Sulfur chloride
10025-87-3	Phosphorus oxychloride	13071-79-9	Terbufos
10025-91-9	Antimony trichloride	13171-21-6	Phosphamidon
10026-11-6	Zirconium tetrachloride	13194-48-4	Ethoprophos
10026-13-8	Phosphorus pentach	13356-08-6	Fenbutatin oxide
10028-15-6	Ozone	13410-01-0	Sodium selenate
10028-22-5	Ferric sulfate loride	13424-46-9	Lead azide
10031-59-1	Thallium sulfate	13450-90-3	Gallium trichloride
10034-93-2	Hydrazine sulfate	13463-39-3	Nickel carbonyl
10039-32-4	Phosphoric acid, disodium salt, dodecahydrate	13463-40-6	Iron pentacarbonyl
10043-01-3	Aluminum sulfate	13474-88-9	1,1-Dichloro-1,2,2,3,3-pentafluoropropane (HCFC-225cc)*
10045-89-3	Ferrous ammonium sulfate		Tellurium
10045-94-0	Mercuric nitrate	13494-80-9	2,4,5-T sodium salt
10049-04-4	Chlorine dioxide	13560-99-1	Beryllium nitrate
10049-05-5	Chromic(II) chloride	13597-99-4	Desmedipham
10061-02-6	trans-1,3-Dichloropropane	13684-56-5	Zirconium nitrate
10099-74-8	Lead nitrate	13746-89-9	Calcium chromate
10101-53-8	Chromic sulfate	13765-19-0	Lead fluoborate
10101-63-0	Lead iodide	13814-96-5	Ammonium fluoborate
10101-89-0	Tribasic sodium phosphate dodecahydrate	13826-83-0	sec-Butylamine
10102-06-4	Uranyl nitrate	13952-84-6	Cobaltous sulfamate
10102-18-8	Sodium selenite	14017-41-5	Salcomine
10102-20-2	Sodium tellurite	14167-18-1	Nickel nitrate
10102-43-9	Nitric oxide	14216-75-2	Ammonium oxalate
10102-44-0	Nitrogen dioxide	14258-49-2	Lithium chromate
10102-45-1	Thallium(I) nitrate	14307-35-8	Ammonium tartrate
10102-48-4	Lead arsenate	14307-43-8	Ethyl ziram
10108-64-2	Cadmium chloride	14324-55-1	Ferbam
10124-50-2	Potassium arsenite	14484-64-1	Zinc ammonium chloride (Zn.Cl ₄ .2H ₄ -N)
10124-56-8	Sodium hexametaphosphate	14639-97-5	Zinc ammonium chloride (Zn.Cl ₅ .3H ₄ -N)
10140-65-5	Phosphoric acid, disodium salt, hydrate	14639-98-6	Zirconium sulfate
10140-87-1	1,2-Dichloroethanol acetate	14644-61-2	3-Chloro-6-cyano-2-norbornanone-o-(meth-ycarbamoyl)oxime
10192-30-0	Ammonium bisulfite	15271-41-7	Manganese dimethyldithiocarbamate
10196-04-0	Ammonium sulfite		2,4,4-Trimethylhexamethylene diisocyanate
10210-68-1	Cobalt carbonyl	15339-36-3	Nickel ammonium sulfate
10222-01-2	2,2-Dibromo-3-nitrilopropionamide	15646-96-5	Lead sulfate
10265-92-6	Methamidophos	15699-18-0	Mannitol hexanitrate
10294-34-5	Boron trichloride	15739-80-7	2,3,4-Trichlorophenol
10311-84-9	Dialifor	15825-70-4	Alachlor
10347-54-3	1,4-Bis(methylisocyanate)cyclohexane	15950-66-0	C.I. Direct Brown 95
10361-89-4	Phosphoric acid, trisodium salt, decahydrate	15972-60-8	N-Nitrosomornicotine
10380-29-7	Cupric sulfate, ammoniated	16071-86-6	Sodium hydrosulfide
10415-75-5	Mercurous nitrate	16543-55-8	Methomyl
10421-48-4	Ferric nitrate	16721-80-5	Zinc silicofluoride
10453-86-8	Resmethrin	16752-77-5	Ammonium silicofluoride
10476-95-6	Methacrolein diacetate	16871-71-9	Zirconium potassium fluoride
10544-72-6	Nitrogen tetroxide	16919-19-0	2,2,4-Trimethylhexamethylene diisocyanate
10588-01-9	Sodium bichromate	16923-95-8	Decaborane(14)
10605-21-7	Carbendazim	16938-22-0	Formparanate
11096-82-5	Aroclor 1260	17702-41-9	Benomyl
11097-69-1	Aroclor 1254	17702-57-7	Barium azide
11104-28-2	Aroclor 1221	17804-35-2	Streptozotocin
11115-74-5	Chromic acid	18810-58-7	Oryzalin
11141-16-5	Aroclor 1232	18883-66-4	Diborane
12002-03-8	Cupric acetoarsenite	19044-88-3	Pentaborane
12039-52-0	Thallium(I) selenide	19287-45-7	Oxydiazon
12054-48-7	Nickel hydroxide	19624-22-7	Hexanitrostilbene
12108-13-3	Methylcyclopentadienylmanganese tricarbonyl	19666-30-9	Barium styphnate
12122-67-7	Zineb	20062-22-0	3,3'-Dimethoxybenzidine dihydrochloride
12125-01-8	Ammonium fluoride	20236-55-9	
12125-02-9	Ammonium chloride	20325-40-0	

CAS Number	Name	CAS Number	Name
20354-26-1	Methazole	32534-95-5	2-(2,4,5-Trichlorophenoxy)propanoic acid isooctyl ester
20816-12-0	Osmium tetroxide	33089-61-1	Amitraz
20830-75-5	Digoxin	33213-65-9	beta-Endosulfan
20830-81-3	Daunomycin	34014-18-1	Tebuthiuron
20859-73-8	Aluminum phosphide	34077-87-7	Dichlorotrifluoroethane*
21087-64-9	Metribuzin	35367-38-5	Diflubenzuron
21548-32-3	Fosthietan	35400-43-2	Sulprofos
21609-90-5	Leptophos	35554-44-0	Imazalil
21725-46-2	Cyanazine (concentrations above 30%)	35691-65-7	1-Bromo-1-(bromomethyl)-1,3-propanedi-carbonitrile
21908-53-2	Mercuric oxide	35860-51-6	Dinitroresorcinol
21923-23-9	Chlorthiophos	36478-76-9	Uranyl nitrate
22224-92-6	Fenamiphos	37211-05-5	Nickel chloride
22781-23-3	Bendiocarb (conc. above 15%)	38661-72-2	1,3-Bis(methylisocyanate)cyclohexane
22961-82-6	Bendiocarb phenol	38727-55-8	Diethyl ethyl
23135-22-0	Oxamyl	39156-41-7	2,4-Diaminoanisole sulfate
23422-53-9	Formetanate hydrochloride	39196-18-4	Thiofanox
23505-41-1	Pirimifos-ethyl (concentrations above 20%)	39300-45-3	Dinocap
23564-05-8	Thiophanate methyl	39515-41-8	Fenpropathrin
23564-06-9	Thiophanate ethyl	40487-42-1	Pendimethalin
23950-58-5	Pronamide	41198-08-7	Profenofos
24017-47-8	Triazofos	41766-75-0	o-Tolidine dihydrofluoride
24934-91-6	Chlormephos	42504-46-1	Isopropanolamine dodecylbenzene sulfonate
25154-54-5	Dinitrobenzene (mixed isomers)	42874-03-3	Oxyfluorfen
25154-55-6	Nitrophenol (mixed isomers)	43121-43-3	Triadimefon
25155-30-0	Sodium dodecylbenzenesulfonate	50471-44-8	Vinclozolin
25167-67-3	Butene*	50782-69-9	Ethyl-S-dimethylaminoethyl methylphospho-nothiolate
25167-82-2	Trichlorophenol	51026-28-9	Potassium n-hydroxymethyl-n-methyldithio-carbamate
25168-15-4	2,4,5-Trichlorophenoxyacetic acid isooctyl ester	51235-04-2	Hexazinone
25168-26-7	2,4-Dichlorophenoxyacetic acid isooctyl ester (conc. above 20%)	51317-24-9	Lead mononitroresorcinolate
25311-71-1	Isofenphos	51338-27-3	Diclofop methyl
25321-14-6	Dinitrotoluene (mixed isomers)	51630-58-1	Fenvalerate
25321-22-6	Dichlorobenzene (mixed isomers)	52628-25-8	Zinc ammonium chloride
25322-14-9	Trinitrofluorenone	52645-53-1	Permethrin
25376-45-8	Diaminotoluene (mixed isomers)	52652-59-2	Lead stearate dibasic
25550-58-7	Dinitrophenol (mixed isomers)	52740-16-6	Calcium arsenite
26002-80-2	Phenothrin	52888-80-9	Prosulfocarb
26264-06-2	Calcium dodecylbenzenesulfonate	53014-37-2	Tetranitroaniline
26419-73-8	O-(((2,4-Dimethyl-1,3-dithiolan-2-yl)methyl-ene)amino)methyl carbamic acid	53404-19-6	Bromacil, lithium salt
26471-62-5	Toluene diisocyanate (mixed isomers)	53404-37-8	2,4-D 2-ethyl-4-methylpentyl ester
26628-22-8	Sodium azide (concentrations above 0.5%)	53404-60-7	Dazomet, sodium salt
26638-19-7	Dichloropropane	53467-11-1	2,4-D Esters
26644-46-2	Triforine	53469-21-9	Aroclor 1242
26952-23-8	Dichloropropene(s) (mixtures)	53558-25-1	Pyriminil
26952-42-1	Trinitroaniline	54413-15-9	Tritonal
27137-85-5	Trichloro(dichlorophenyl)silane	55285-14-8	Carbosulfan
27176-87-0	Dodecylbenzenesulfonic acid	55290-64-7	Dimethipin
27314-13-2	Norflurazon	55406-53-6	3-Iodo-2-propynyl n-butylcarbamate
27323-41-7	Triethanolamine dodecylbenzene sulfonate	55488-87-4	Ferric ammonium oxalate, unspecified hydrate
27774-13-6	Vanadyl sulfate	55510-04-8	Dinitrotylcoluril
28057-48-9	d-trans-Allethrin	55810-17-8	Trinitronaphthalene
28249-77-6	Thiobencarb	56189-09-4	Dibasic lead stearate
28260-61-9	Trinitrochlorobenzene	57213-69-1	Triclopyr triethylammonium salt
28300-74-5	Antimony potassium tartrate	58270-08-9	(trans-4)-Dichloro(4,4-dimethylzinc5(((methylamino)carbonyl)oxy)imimo)pentanenitrile)
28347-13-9	Xylylene dichloride	59669-26-0	Thiodicarb
28407-37-6	C.I. Direct Blue 218	60168-88-9	Fenarimol
28772-56-7	Bromadiolone (concentrations above 0.01%)	60207-90-1	Propiconazole
29232-93-7	Pirimiphos methyl	61792-07-2	2,4,5-Trichlorophenoxyacetic acid 1-methyl propyl ester
30525-89-4	Paraformaldehyde	62207-76-5	N,N'-Ethylene bis(3-fluorosalicylideneimino-to)cobalt(II)
30558-43-1	2-(Dimethylamino-N-hydroxy-2-oxo)ethanimidothioic acid, methyl ester		
30560-19-1	Acephate		
30674-80-7	Methacryloyloxyethyl isocyanate		
31218-83-4	Propetamphos		

CAS Number	Name
62476-59-9	Acifluorfen, sodium salt
63918-97-8	Lead styphnate
63938-10-3	Chlorotetrafluoroethane*
64902-72-3	Chlorsulfuron
64969-34-2	3,3'-Dichlorobenzidine sulfate
66441-23-4	Fenoxaprop ethyl
67485-29-4	Hydramethylnon
68085-85-8	Cyhalothrin
68359-37-5	Cyfluthrin
69409-94-5	Fluvalinate
69806-50-4	Fluazifop butyl
71751-41-2	Abamectin
72178-02-0	Fomesafen
72490-01-8	Fenoxycarb
74051-80-2	Sethoxydim
75790-84-0	4-Methyldiphenylmethane-3,4-diisocyanate
75790-87-3	2,4'-Diisocyanatodiphenyl sulfide
76578-14-8	Quizalofop-ethyl
77501-63-4	Lactofen
82657-04-3	Bifenthrin
88671-89-0	Myclobutanil
90454-18-5	Dichloro-1,1,2-trifluoroethane*
90982-32-4	Chlorimuron ethyl
101200-48-0	Tribenuron methyl
111512-56-2	1,1-Dichloro-1,2,3,3,3-pentafluoropropane (HCFC-225eb)*
111984-09-9	3,3'-Dimethoxybenzidine hydrochloride
127564-92-5	Dichloropentafluoropropane*
128903-21-9	2,2-Dichloro-1,1,1,3,3-pentafluoropropane (HCFC-225aa)*
134190-37-7	Diethyldiisocyanatobenzene
136013-79-1	1,3-Dichloro-1,1,2,3,3-pentafluoropropane (HCFC-225ea)*

Repeal and New Rule, R.1996 d.462, effective October 7, 1996.

See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(b).

Section was "List of Hazardous Substances".

APPENDIX B

FINANCIAL FORMS

B.1 Letter from chief financial officer:

To support a financial test of self-insurance or a guarantee, the chief financial officer of the major facility or guarantor shall prepare and sign a letter worded exactly as follows, except that the instructions in brackets are to be replaced by the relevant information and the brackets deleted.

(1) Non-government entities

LETTER FROM CHIEF FINANCIAL OFFICER

I am the chief financial officer of [name and address of the owner or operator, or guarantor]. This letter is in support of the use of ["the financial test of self-insurance" and/or "guarantee"] to demonstrate financial responsibility for cleanup and removal activities arising from operating [name(s) and address(es) of facility(ies)] in the amount of at least [dollar amount] per occurrence ["per facility" if multiple facilities are covered by this one document] and [dollar amount] annual aggregate ["per facility" if multiple facilities are covered by this one document].

A ["financial test" and/or "guarantee"] is also used by this ["owner or operator" or "guarantor"] to demonstrate evidence of financial responsibility in the following amounts under the following EPA or State rules or regulations (i.e., RCRA, ECRA, UST, etc.):

[applicable rules or regulations and amounts]

This ["owner or operator" or "guarantor"] has not received an adverse opinion, a disclaimer of opinion, or a "going concern" qualification from an independent auditor on his or her financial statements for the latest completed fiscal year.

[Fill in the information for Alternative I if the criteria of N.J.A.C. 7:1E-4.4(g)1 based on tangible net worth are being used to demonstrate compliance with the financial test requirements. Fill in the information for Alternative II if the criteria based on bond rating or net working capital of N.J.A.C. 7:1E-4.4(g)2 are being used to demonstrate compliance with the financial test requirements.]

ALTERNATIVE I

1. Amount of annual DCR aggregate coverage being assured by a financial test and/or guarantee \$ _____
2. Amount of annual aggregate coverage for all other Federal or State regulatory costs (i.e. RCRA, ECRA, UST, etc.) covered by a financial test, and/or guarantee \$ _____
3. Sum of lines 1 and 2 \$ _____
4. Total tangible assets \$ _____
5. Total liabilities [if any of the amount reported on line 3 is included in total liabilities, you may deduct that amount from this line and add that amount to line 6] \$ _____
6. Tangible net worth [subtract line 5 from line 4] \$ _____
7. Is line 6 at least \$10 million?

YES	NO
_____	_____
8. Is line 6 at least 10 times line 3?

_____	_____
-------	-------
9. Have financial statements for the latest fiscal year been filed with the Securities Exchange Commission?

_____	_____
-------	-------
10. Have financial statements for the latest fiscal year been filed with the Energy Information Administration?

_____	_____
-------	-------
11. Have financial statements for the latest fiscal year been filed with the Rural Electrification Administration?

_____	_____
-------	-------
12. Has financial information been provided to Dun and Bradstreet, and has Dun and Bradstreet provided a financial strength rating of 4A or 5A? [Answer "Yes" only if both criteria have been met]

_____	_____
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ALTERNATIVE II

1. Amount of annual DCR aggregate coverage being assured by a financial test and/or guarantee \$ _____
 2. Amount of annual aggregate coverage for all other Federal or State regulatory cost (i.e. RCRA, ECRA, UST, etc.) covered by a financial test, and/or guarantee \$ _____
 3. Sum of lines 1 and 2 \$ _____
 4. Total tangible assets \$ _____
 5. Total liabilities [if any of the amount reported on line 3 is included in total liabilities, you may deduct that amount from this line and add that amount to line 6] \$ _____
 6. Tangible net worth [subtract line 5 from line 4] \$ _____
 7. Total assets in the U.S. [required only if less than 90 percent of assets are located in the U.S.] \$ _____
 8. Is line 6 at least \$10 million? YES NO
 9. Is line 6 at least 6 times line 3? _____
 10. Are at least 90 percent of total assets located in the U.S.? [If "No," complete line 11.] _____
 11. Is line 7 at least 6 times line 3? [Fill in lines 12–15 or lines 16–18:] _____
 12. Current assets \$ _____
 13. Current liabilities \$ _____
 14. Net working capital [subtract line 13 from line 12] \$ _____
 15. Is line 14 at least 6 times line 3? YES NO
 16. Current bond rating of most recent bond issue _____
 17. Name of rating service _____
 18. Date of maturity of bond _____
 19. Have financial statements for the latest fiscal year been filed with the SEC, the Energy Information Administration, or the Rural Electrification Administration? YES NO
- [If "No," please attach a report from an independent certified public accountant certifying that there are no material differences between the data as reported in lines 4–18 above and the financial statements for the latest fiscal year.]

[For both Alternative I and Alternative II complete this certification with this statement.]

I hereby certify that the wording of this letter is identical to the wording specified in Appendix B of N.J.A.C. 7:1E, as such rules were constituted on the date shown immediately below.

[Signature]

[Name]

[Title]

[Date]

(2) Local government—bond rating test

LETTER FROM CHIEF FINANCIAL OFFICER

I am the chief financial officer of [name and address of local government owner or operator]. This letter is in support of the use of the bond rating test to demonstrate financial responsibility for cleanup and removal activities arising from operating [name(s) and address(es) of facility(ies)] in the amount of at least [dollar amount] per occurrence ["per facility" if multiple facilities are covered by this one document] and [dollar amount] annual aggregate ["per facility" if multiple facilities are covered by this one document]. [If applicable: "This local government is not organized to provide general governmental services and does not have the legal authority under State law or constitutional provisions to issue general obligation debt."]

The details of the issue date, maturity, outstanding amount, bond rating, and bond rating agency of all outstanding ["revenue"] bond issues that are being used by [name of local government owner or operator] to demonstrate financial responsibility are as follows: [complete table]

Issue Date	Maturity Date	Outstanding Amount	Bond Rating	Rating Agency
				[Standard & Poor's or Moody's]

The total outstanding obligation of [amount], excluding refunded bond issues, exceeds the minimum amount of \$1 million. All outstanding ["general obligation" or "revenue"] bonds issued by this government that have been rated by Standard and Poor's or Moody's are rated at least investment grade (Standard and Poor's BBB or Moody's Baa) based on the most recent ratings published within the last 12 months. ["The revenue bonds listed are not backed by third-party credit enhancement or are insured by a municipal bond insurance company."] Neither rating service has provided notification within the last 12 months of downgrading of bond ratings below investment grade or of withdrawal of bond rating other than for repayment of outstanding bond issues.

I hereby certify that the wording of this letter is identical to the wording specified in Appendix B of N.J.A.C. 7:1E, as such rules were constituted on the date shown immediately below.

[Signature]

[Name]

[Title]

[Date]

(3) Local government—financial test

LETTER FROM CHIEF FINANCIAL OFFICER

I am the chief financial officer of [name and address of local government owner or operator]. This letter is in support of the use of the local government financial test to demonstrate financial responsibility for cleanup and removal activities arising from operating [name(s) and address(es) of facility(ies)] in the amount of at least [dollar amount] per occurrence ["per facility" if multiple facilities are covered by this one document] and [dollar amount] annual aggregate ["per facility" if multiple facilities are covered by this one document].

This owner or operator has not received an adverse opinion, or a disclaimer of opinion from an independent auditor on its financial statements for the latest completed fiscal year. Any outstanding issues of general obligation or revenue bonds, if rated, have a Standard and Poor's rating of AAA, AA, A or BBB or a Moody's rating of Aaa, Aa, A or Baa; if rated by both firms, the bonds have a Standard and Poor's rating of AAA, AA, A or BBB or a Moody's rating of Aaa, Aa, A or Baa.

Worksheet for Municipal Financial Test

Part 1: Basic Information

1. Total Revenues

a. Revenue (dollars)

Value of revenues excludes liquidation of investments and issuance of debt. Value includes all general operating and non-operating revenues as well as all revenues from all other governmental funds including enterprise, debt service, capital projects, and special revenues, but excluding revenues to funds held in a trust or agency capacity.

b. Subtract interfund transfers (dollars)

c. Total Revenues (dollars)

2. Total Expenditures

a. Expenditures (dollars)

Value consists of the sum of general fund operating and non-operating expenditures including interest payments on debt, payments for retirement of debt principal, and total expenditures from all other governmental funds including enterprise, debt service, capital projects, and special revenues.

b. Subtract interfund transfers (dollars)

c. Total Expenditures (dollars)

3. Local Revenues

a. Total Revenues (from 1c) (dollars)

b. Subtract total intergovernmental transfers (dollars)

c. Local Revenues (dollars)

4. Debt Service

a. Interest and fiscal charges (dollars)

b. Add debt retirement (dollars)

c. Total Debt Service (dollars)

5. Total Funds (Dollars)

(Sum of amounts held as cash and investment securities from all funds, excluding amounts held for employee retirement funds, agency funds, and trust funds)

6. Population (Persons)

Part II: Application of Test

7. Total Revenues to Population

a. Total Revenues (from 1c)

b. Population (from 6)

c. Divide 7a by 7b

d. Subtract 417

e. Divide by 5,212

f. Multiply by 4.095

8. Total Expenses to Population

a. Total Expenses (from 2c)

b. Population (from 6)

c. Divide 8a by 8b

d. Subtract 524

e. Divide by 5,401

f. Multiply by 4.095

9. Local Revenues to Total Revenues

a. Local Revenues (from 3c)

b. Total Revenues (from 1c)

c. Divide 9a by 9b

d. Subtract 0.695

e. Divide by 0.205

f. Multiply by 2.840

10. Debt Service to Population

a. Debt Service (from 4d)

b. Population (from 6)

c. Divide 10a by 10b

d. Subtract 51

e. Divide by 1,038

f. Multiply by 1.866

11. Debt Service to Total Revenues

- a. Debt Service (from 4d)
 - b. Total Revenues (from 1c)
 - c. Divide 11a by 11b
 - d. Subtract 0.068
 - e. Divide by 0.259
 - f. Multiply by 3.533
12. Total Revenues to Total Expenses
- a. Total Revenues (from 1c)
 - b. Total Expenses (from 2c)
 - c. Divide 12a by 12b
 - d. Subtract 0.910
 - e. Divide by 0.899
 - f. Multiply by 3.458
13. Funds Balance to Total Revenues
- a. Total Funds (from 5)
 - b. Total Revenues (from 1c)
 - c. Divide 13a by 13b
 - d. Subtract 0.891
 - e. Divide by 9.156
 - f. Multiply by 3.270
14. Funds Balance to Total Expenses
- a. Total Funds (from 5)
 - b. Total Expenses (from 2c)
 - c. Divide 14a by 14b
 - d. Subtract 0.866
 - e. Divide by 6.409
 - f. Multiply by 3.270
15. Total Funds to Population
- a. Total Funds (from 5)
 - b. Population (from 6)
 - c. Divide 15a by 15b
 - d. Subtract 270
 - e. Divide by 4,548
 - f. Multiply by 1.866
16. Add 7f + 8f + 9f + 10f + 11f + 12f + 13f + 14f + 15f + 4.937

I hereby certify that the financial index shown on line 16 of the worksheet is greater than zero and that the wording of this letter is identical to the wording specified in Appen-

dix B of N.J.A.C. 7:1E, as such rules were constituted on the date shown immediately below.

[Signature]

[Name]

[Title]

[Date]

B.2 Guarantee:

The guarantee must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

GUARANTEE

Guarantee made this [date] by [name of guaranteeing entity], a business entity organized under the laws of the State of [name of state], herein referred to as guarantor, to the Department and to any and all third parties, and obligees, on behalf of [owner or operator] of [business address].

(1) Guarantor meets or exceeds the financial test criteria of N.J.A.C. 7:1E-4.4(g) and agrees to comply with the requirements for guarantors as specified in N.J.A.C. 7:1E-4.4(h).

(2) This guarantee satisfies the requirements for assuring funding in the amount of [dollar amount] per occurrence and [dollar amount] annual aggregate for cleanup and removal activities arising from operating the above identified major facility.

(3) [Insert appropriate phrase: "On behalf of our subsidiary" (if guarantor is corporate parent of the owner or operator); "On behalf of our affiliate" (if guarantor is related firm of the owner or substantial business relationship with owner or operator); "Incident to our business relationship with" (if guarantor is providing the guarantee as an incident to a substantial business relationship with owner or operator)] [owner or operator], guarantor guarantees to the Department and to any and all third parties that:

In the event that [owner or operator] fails to provide alternate coverage within 60 days after receipt of a notice of cancellation of this guarantee and the Department has determined or suspects that a discharge has occurred at a facility covered by this guarantee, the guarantor, upon instructions from the Department, shall fund a standby trust fund in an amount sufficient to cover cleanup and removal costs, but not to exceed the coverage limits specified in N.J.A.C. 7:1E-4.4(b).

In the event that the Department determines that [owner or operator] has failed to perform cleanup and removal activities arising out of the operation of the above-identified facility, the guarantor, upon written in-

structions from the Department, shall fund a standby trust in an amount sufficient to cover cleanup and removal costs, but not to exceed the coverage limits specified above.

(4) Guarantor agrees that if, at the end of any fiscal year before cancellation of this guarantee, the guarantor fails to meet the financial test criteria of N.J.A.C. 7:1E-4.4(g), guarantor shall send within 120 days of such failure, by certified mail, notice to [owner or operator] and the Department. The guarantee will terminate 120 days from the date of receipt of the notice by [owner or operator] or 120 days from the date of receipt of the notice by the Department, whichever is later, as evidenced by the return receipt.

(5) Guarantor agrees to notify [owner or operator] by certified mail of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within 10 days after commencement of the proceeding.

(6) Guarantor agrees to remain bound under this guarantee notwithstanding any modification or alternation of any obligation of [owner or operator] pursuant to N.J.A.C. 7:1E.

(7) Guarantor agrees to remain bound under this guarantee for so long as [owner or operator] must comply with the applicable financial responsibility requirements of N.J.A.C. 7:1E-4.4 for the above-identified facility, except that guarantor may cancel this guarantee by sending notice by certified mail to [owner or operator] and the Department, such cancellation to become effective no earlier than 120 days after receipt of such notice by [owner or operator], as evidenced by the return receipt.

(8) The guarantor's obligation does not apply to any of the following:

(a) Any obligation of [owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of [owner or operator] arising from, and in the course of, employment by [owner or operator];

(c) Bodily injury or property damage not related to a discharge arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [owner or operator] that is not the direct result of a discharge from the facility;

(e) Bodily damage or property damage for which [owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of N.J.A.C. 7:1E-4.4.

(9) Guarantor expressly waives notice of acceptance of this guarantee by the Department or by [owner or operator].

I hereby certify that the wording of this guarantee is identical to the wording specified in Appendix B of N.J.A.C. 7:1E as such rules were constituted on the effective date shown immediately below.

Effective date: _____

[Name of guarantor]

[Authorized signature for guarantor]

[Name of persons signing]

[Title of person signing]

Signature of witness or notary: _____

B.3 Insurance or risk retention group:

Each insurance policy must be amended by an endorsement worded as specified in paragraph (1) or evidenced by a certificate of insurance worded as specified in paragraph (2), except that instructions in brackets must be replaced with the relevant information and the brackets deleted:

(1) ENDORSEMENT

NAME: _____ [name of each covered location]
ADDRESS: _____ [address of each covered location]

POLICY NUMBER: _____
PERIOD OF COVERAGE: _____ [current policy period]
NAME OF [INSURER OR RISK RETENTION GROUP]: _____

ADDRESS OF [INSURER OR RISK RETENTION GROUP]: _____

NAME OF INSURED: _____
ADDRESS OF INSURED: _____

Endorsement:

1. This endorsement certifies that the policy to which the endorsement is attached provides liability insurance, subject to public policy considerations, covering the following facility: [name and address of the facility] for cleanup and removal activities.

The limits of liability are [insert the dollar amount of the "per occurrence" and "annual aggregate" limits of the Insurer's or Group's liability], exclusive of legal defense costs. This coverage is provided under. The effective date of said policy is [date].

2. The insurance afforded with respect to such occurrences is subject to all of the terms and conditions of the policy; provided, however, that any provisions inconsistent with subsections (a) through (e) of this Paragraph 2 are hereby amended to conform with subsections (a) through (e):

a. Bankruptcy or insolvency of the insured shall not relieve the ["Insurer" or "Group"] of its obligations under the policy to which this endorsement is attached.

b. The ["Insurer" or "Group"] is liable for the payment of amounts within any deductible applicable to the policy to the provider of cleanup and removal activities, with a right of reimbursement by the insured for any such payment made by the ["Insurer" or "Group"]. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms.

c. Whenever requested by the Department, ["Insurer" or "Group"] agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.

d. Cancellation or any other termination of the insurance by the ["Insurer" or "Group"], except for nonpayment of premium or material misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after the date on which the insured receives the written notice or 60 days after the date on which the Department receives the written notice, whichever is later. Cancellation for nonpayment of premium or material misrepresentation by the insured will be effective only upon written notice and only after the expiration of a minimum of 10 days after the date on which the insured receives the written notice or 10 days after the date on which the Department receives the written notice, whichever is later.

[Insert for claims-made policies:

e. The insurance covers claims otherwise covered by the policy that are reported to the ["Insurer" or "Group"] within six months of the effective date of the cancellation or nonrenewal of the policy, except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy, and that arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date.]

I hereby certify that the wording of this instrument is identical to the wording in Appendix B of N.J.A.C. 7:1E and that the ["Insurer" or "Group"] is ["licensed to transact the business of insurance" or "eligible to provide insurance as an excess or surplus lines insurer in New Jersey"].

[Signature of authorized representative of Insurer or Risk Retention Group]

[Name of person signing]

[Title of person signing], Authorized Representative of
[name of Insurer or Risk Retention Group]

[Address of Representative]

(2) CERTIFICATE OF INSURANCE

NAME: [name of each covered location]

ADDRESS: [address of each covered location]

POLICY NUMBER:

ENDORSEMENT

(if applicable):

PERIOD OF COVERAGE: [current policy period]

NAME OF [INSURER OR RISK RETENTION GROUP]:

ADDRESS OF [INSURER OR RISK RETENTION GROUP]:

NAME OF INSURED:

ADDRESS OF INSURED:

Certification:

1. [Name of Insurer or Risk Retention Group], [the "Insurer" or "Group"], as identified above, hereby certifies that it has issued liability insurance, subject to public policy considerations, covering the following facility: [List the name and address of the facility] for cleanup and removal activities arising from operating the facility identified above.

The limits of liability are [insert the dollar amount of the "each occurrence" and "annual aggregate" limits of the Insurer's or Group's liability], exclusive of legal defense costs. This coverage is provided under [policy number]. The effective date of said policy is [date].

2. The ["Insurer or Group"] further certifies the following with respect to the insurance described in Paragraph 1:

a. Bankruptcy or insolvency of the insured shall not relieve the ["Insurer" or "Group"] of its obligations under the policy to which this certificate applies.

b. The ["Insurer" or "Group"] is liable for the payment of amounts within any deductible applicable to the policy to the provider of cleanup and removal activities, with a right of reimbursement by the insured for any such payment made by the ["Insurer" or "Group"]. This provision does not apply with respect to that amount of any deductible for which coverage is demonstrated under another mechanism or combination of mechanisms.

c. Whenever requested by the Department, the ["Insurer" or "Group"] agrees to furnish to the Department a signed duplicate original of the policy and all endorsements.

d. Cancellation or any other termination of the insurance by the ["Insurer" or "Group"], except for nonpayment of premium or material misrepresentation by the insured, will be effective only upon written notice and only after the expiration of 60 days after the date on which the insured receives the written notice or 60 days after the date on which the Department receives the written notice, whichever is later. Cancellation for nonpayment of premium or material misrepresentation by the insured will be effective only upon written notice and only after the expiration of a minimum of 10 days after the date on which the insured receives the written notice or 10 days after the date on which the Department receives the written notice, whichever is later.

[Insert for claims-made policies:

e. The insurance covers claims otherwise covered by the policy that are reported to the ["Insurer" or "Group"] within six months of the effective date of the cancellation or nonrenewal of the policy except where the new or renewed policy has the same retroactive date or a retroactive date earlier than that of the prior policy, and which arise out of any covered occurrence that commenced after the policy retroactive date, if applicable, and prior to such policy renewal or termination date.]

I hereby certify that the wording of this instrument is identical to the wording in Appendix B of N.J.A.C. 7:1E and that the ["Insurer" or "Group"] is ["licensed to transact the business of insurance" or "eligible to provide insurance as an excess or surplus lines insurer in the State"].

[Signature of authorized representative of Insurer or Risk Retention Group]

[Type name]

[Title of person signing], Authorized Representative of [name of Insurer or Risk Retention Group]

[Address of Representative]

B.4 Surety Bond:

The surety bond must be worded as follows, except that instructions in brackets must be replaced with the relevant information and the brackets deleted:

PERFORMANCE BOND

DATE BOND EXECUTED: _____
 PERIOD OF COVERAGE: _____
 PRINCIPAL: [legal name and business address of owner or operator]
 TYPE OF ORGANIZATION: [insert "individual," "joint venture," "partnership," or "corporation"]
 STATE OF INCORPORATION (If Applicable): _____
 SURETY(IES): [name(s) and business address(s)]
 SCOPE OF COVERAGE: [List the name and address of the facility. List the coverage guaranteed by the bond: cleanup and removal activities.]

PENAL SUMS OF BOND: Per occurrence \$ _____
 Annual aggregate \$ _____
 SURETY'S BOND NUMBER: _____

Know all Persons by These Presents, that we, the Principal and Surety(ies), hereto are firmly bound to the Department, in the above penal sums for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as co-sureties, we the Sureties, bind ourselves in such sums jointly and severally only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sums only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sums.

Whereas said Principal is required under N.J.S.A. 58:10-23.11 to provide financial assurance for cleanup and removal activities arising from operating the facility identified above; and

Whereas said Principal shall establish a standby trust fund as is required when a surety bond is used to provide such financial assurance;

Now, therefore, the conditions of the obligation are such that if the Principal shall faithfully perform cleanup and removal activities arising from operating the facility identified above, or if the Principal shall provide alternate financial assurance within 120 days after the date the notice of cancellation is received by the Principal from the Surety(ies), then this obligation shall be null and void; otherwise, it is to remain in full force and effect.

Such obligation does not apply to any of the following:

(a) Any obligation of [owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of [owner or operator] arising from, and in the course of, employment by [owner or operator];

(c) Bodily injury or property damage not related to a discharge arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [owner or operator] that is not the direct result of a discharge from the facility;

(e) Bodily injury or property damage for which [owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of N.J.A.C. 7:1E-4.4.

Upon notification by the Department that the Principal has failed to perform cleanup and removal activities in accordance with the Department's instructions, as guaranteed by this bond, the Surety(ies) shall either perform cleanup and removal activities in accordance with the Department's instructions, or place funds in an amount up to the annual aggregate penal sum into the standby trust fund as directed by the Department.

Upon notification by the Department that the Principal has failed to provide alternate financial assurance within 60 days after the date of the notice of cancellation is received by the Principal from the Surety(ies) and that the Department has determined or suspects that a discharge has occurred, the Surety(ies) shall place funds in an amount not exceeding the annual aggregate penal sum into the standby trust fund as directed by the Department.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above.

The Surety(ies) hereby waive(s) notification of amendments to applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the annual aggregate to the penal sum shown on the face of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said annual aggregate penal sum.

The Surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the Principal and the Department, provided, however, that cancellation shall not occur during the 120 days beginning on the date of receipt of the notice of cancellation by the Principal or the date of receipt of the notice of cancellation by the Department, whichever is later, as evidenced by the return receipt.

The Principal may terminate this bond by sending written notice to the Surety(ies).

In Witness Whereof, the Principal and Surety(ies) have executed this Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies) and that the wording of this surety bond is identical to the wording specified in Appendix B of N.J.A.C. 7:1E as such rules were constituted on the date this bond was executed.

PRINCIPAL

[Signature(s)]

[Name(s)]

[Title(s)]

[Corporate seal]

CORPORATE SURETY(IES)

[Name and address]

State of Incorporation: _____

Liability Limit: \$ _____

[Signature(s)]

[Name(s) and title(s)]

[Corporate seal]

[For every co-surety, provide signature(s), corporate seal, and other information in the same manner as for Surety above.]

Bond premium: \$ _____

B.5 Letter of Credit:

The letter of credit must be worded as follows, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

IRREVOCABLE STANDBY LETTER OF CREDIT

[Name and address of issuing institution]

[Name and address of the Department]

Dear Sir or Madam: We hereby establish our Irrevocable Standby Letter of Credit No. _____ in your favor, at the request and for the account of [owner or operator name] of [address] up to the aggregate amount of [in words] U.S. dollars (\$[dollar amount]), available upon presentation of:

(1) Your sight draft, bearing reference to this letter of credit, No. _____, and

(2) Your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to rules issued under authority of the Spill Compensation and Control Act, and that this letter of credit is not being drawn on to cover any of the following:

(a) Any obligation of [owner or operator] under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;

(b) Bodily injury to an employee of [owner or operator] arising from, and in the course of, employment by [owner or operator];

(c) Bodily injury or property damage not related to a discharge arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft;

(d) Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by [owner or operator] that is not the direct result of a discharge from the facility;

(e) Bodily injury or property damage for which [owner or operator] is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of N.J.A.C. 7:1E-4.4."

This letter of credit may be drawn on to cover cleanup and removal activities arising from operating the facility identified below in the amount of [in words] \$[dollar amount] per occurrence and [in words] \$[dollar amount] annual aggregate.

[Name and address of facility]

This letter of credit is effective as of [date] and shall expire on [date], but such expiration date shall be automatically extended for a period of [at least the length of the original term] on [expiration date] and on each successive expiration date, unless, at least 120 days before the current expiration date, we notify [owner or operator] and the Department by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event that [owner or operator] is so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by [owner or operator] or for 120 days after the date of receipt by the Department, as shown on the signed return receipt.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the standby trust fund of [owner or operator] in accordance with your instructions.

We certify that the wording of this letter of credit is identical to the wording specified in Appendix B of N.J.A.C. 7:1E, as such rules were constituted on the date shown immediately below.

[Signature(s) and title(s) of official(s) of issuing institution]

[Date]

This credit is subject to ["the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce," or "the Uniform Commercial Code"].

Amended by R.1996 d.252, effective June 3, 1996.
See: 27 N.J.R. 2337(a), 27 N.J.R. 2882(a), 28 N.J.R. 2858(a).
Amended by R.1996 d.462, effective October 7, 1996.
See: 28 N.J.R. 2730(a), 28 N.J.R. 4424(a).
Amended by R.2000 d.352, effective August 21, 2000.
See: 31 N.J.R. 3561(a), 32 N.J.R. 3091(a).
Rewrote the appendix.