

NEW JERSEY STATE LIBRARY

CHAPTER 1F

INDUSTRIAL SURVEY PROJECT

Authority

N.J.S.A. 13:1D-9, N.J.S.A. 26:2C-1 et seq.
and N.J.S.A. 58-10A-1 et seq.

Source and Effective Date

R.1992 d.209, effective April 16, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Executive Order No. 66(1978) Expiration Date

Chapter 1F, Industrial Survey Project, expires on April 16, 1997.

Chapter Historical Note

All provisions of this chapter became effective March 27, 1980 as R.1980 d.129. See: 11 N.J.R. 224(b), 12 N.J.R. 259(c). This chapter was scheduled to expire March 27, 1985. The Governor granted a waiver of the scheduled expiration date from March 27, 1985 to March 27, 1987. See: 17 N.J.R. 866(a) (April 15, 1985 New Jersey Register). This chapter expired March 27, 1987 pursuant to Executive Order 66(1978). See: 17 N.J.R. 1139(b). New Rules became effective April 20, 1987 as R.1987 d.193. See: 19 N.J.R. 11(a), 19 N.J.R. 637(a). Pursuant to Executive Order No. 66(1978) Chapter 1F was readopted as R.1992 d.209, effective April 16, 1992. See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. THE INDUSTRIAL SURVEY

- 7:1F-1.1 (Reserved)
- 7:1F-1.2 (Reserved)
- 7:1F-1.3 Scope
- 7:1F-1.4 Severability
- 7:1F-1.5 Definitions
- 7:1F-1.6 (Reserved)
- 7:1F-1.7 (Reserved)

SUBCHAPTER 2. PROTECTION OF CONFIDENTIAL INFORMATION

- 7:1F-2.1 Confidentiality claims
- 7:1F-2.2 Access to information; non-disclosure; hearing before disclosure
- 7:1F-2.3 Confidentiality determinations
- 7:1F-2.4 Substantive criteria for use in confidentiality determinations
- 7:1F-2.5 Disclosure of confidential information to other agencies
- 7:1F-2.6 Disclosure of confidential information to contractors
- 7:1F-2.7 Emergency disclosure
- 7:1F-2.8 Security procedures for the Industrial Survey
- 7:1F-2.9 Wrongful access or disclosure; penalties

APPENDIX A SELECTED SUBSTANCES

SUBCHAPTER 1. THE INDUSTRIAL SURVEY

7:1F-1.1 (Reserved)

Repealed by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Formerly contained rules "Description of the Industrial Survey".

7:1F-1.2 (Reserved)

Repealed by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).
Formerly rules entitled "Authority".

7:1F-1.3 Scope

This chapter sets forth the procedures to be followed by the Department to protect from public disclosure any information entitled to confidential treatment obtained from any respondent as a result of the Industrial Survey. This chapter also sets forth penalties for Department personnel or contractors who violate security restrictions.

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Amended to reflect the narrower scope of the rules.

7:1F-1.4 Severability

If any section, subsection, provision, clause or portion of this chapter is adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

7:1F-1.5 Definitions

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

"Commissioner" means the Commissioner of Environmental Protection and Energy or his or her authorized representative.

"Confidential information" means any information which has been determined to be entitled to confidential treatment, or any information for which a confidentiality claim has been made but upon which no determination has been made.

"Confidentiality claim" means a claim or assertion that information is entitled to confidential treatment because such information constitutes trade secrets, proprietary information or information related to national security.

"Contractor" means any person who is under contract to the Department to perform work in connection with the conduct of the Department's business.

"Department" means the Department of Environmental Protection and Energy.

"Director" means the Director of the Division of Science and Research or the person authorized in writing by the Commissioner to serve in place of the Director for the purposes of this chapter.

"Industrial establishment" means any place of business engaged in operations which, in the Department's opinion, suggest the possibility that those operations involve the manufacture, use, storage, handling, release or disposal of a selected substance. Industrial establishments include, but are not limited to, places of business having Standard Industrial Classifications (SIC codes), as designated in the SIC Manual prepared by the Federal Office of Management and Budget, within major group Nos. 22 through 39, inclusive (manufacturing industries), Nos. 46 through 49, inclusive (pipelines, transportation services, communication, and electric, gas and sanitary services), No. 51 (wholesale trade, nondurable goods) and No. 76 (miscellaneous repair services).

"Person" means public or private corporations, companies, associations, societies, firms, partnerships, joint stock companies, individuals, the United States Government, the State of New Jersey and any of its political subdivisions or agents.

"Proprietary information" means technical, commercial or financial information which is used in one's business and is of a type customarily held in strict confidence or regarded as privileged and not disclosed to any member of the public by the person to whom it belongs.

"Respondent" means any person requested to supply information to the Department in response to a questionnaire or other form of inquiry authorized under this chapter.

"Record" means any information fixed, registered, or preserved in any physical medium, including but not limited to writings, drawings, photographs, videotape, sound recordings, holograms, punched cards, and computer tape or disk.

"Selected substance" means any of the elements or compounds on the list of selected substances set forth in Table I of the instructions for the questionnaire included in this chapter as Appendix A.

"Trade secrets" include, but are not limited to, any formula, plan, pattern, method, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within an industrial establishment who are using it to fabricate, produce or compound an article of trade or service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Definitions amended to reflect the change in the title of the Department to the Department of Environmental Protection and Energy and the definition of Director.

7:1F-1.6 (Reserved)

Repealed by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Formerly contained rules regarding responses to questionnaire.

7:1F-1.7 (Reserved)

Repealed by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Formerly contained rules regarding failure to respond and penalties.

SUBCHAPTER 2. PROTECTION OF CONFIDENTIAL INFORMATION

7:1F-2.1 Confidentiality claims

(a) Any respondent required to submit any information in response to the Industrial Survey which in respondent's opinion constitutes trade secrets, proprietary information or information related to national security, may assert a confidentiality claim by following the procedures set forth in this section.

(b) Any respondent submitting a questionnaire or other report to the Department and asserting a confidentiality claim covering any information contained therein shall submit two reports to the Department. The first report shall contain all the information requested by the Department, including any information which the respondent alleges to be entitled to confidential treatment. The second report shall be identical to the first report except that it shall contain no information which the respondent alleges to be entitled to confidential treatment. The second report can be a photocopy of the first with the allegedly confidential material blacked out.

(c) The top of each page of the first report containing the information which the respondent alleges to be entitled to confidential treatment shall display the heading "CONFIDENTIAL" in bold type, or stamp.

(d) All parts of the text of the first report which the respondent alleges to be entitled to confidential treatment shall be underscored or highlighted in a clearly identifiable manner. This manner of marking confidential information shall be one which is reproducible on photocopying machines.

(e) The first report, containing the information which the person alleges to be entitled to confidential treatment, shall be sealed in an envelope which shall display the word "CONFIDENTIAL" in bold type or stamp on both sides. This envelope, together with the second, non-confidential report (which may or may not be enclosed in a separate envelope at the respondent's option), 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.

(f) To ensure proper delivery, the complete package should be sent by certified mail, return receipt requested, or by other means which will allow verification of receipt. Ordinary mail may be used, but the Department will assume no responsibility for packages until they are actually received at the Industrial Survey Project Office.

(g) Packages shall be sent to:

Industrial Survey Project
CN 409
Trenton, New Jersey 08625
Tel. (609) 984-6070

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).
Address corrected.

7:1F-2.2 Access to information; non-disclosure; hearing before disclosure

(a) Except as otherwise provided in this chapter, only persons authorized in writing by the Director shall be permitted to have access to any information for which a confidentiality claim has been made. Except as otherwise provided in this chapter, access will be limited to Department employees, contractors and their employees whose duties in the conduct of the Industrial Survey project necessitate such access. No disclosure of information for which a confidentiality claim has been asserted shall be made to any other persons except as specifically allowed by some provision of this chapter. Nothing in this section 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 respondent, the Department determines that such disclosure is not in a form that would foreseeably allow persons outside the Department, not otherwise having knowledge of such confidential information, to deduce from it the confidential information, or the identity of the respondent who supplied it to the Department.

(b) Information for which a confidentiality claim has been asserted shall remain subject to the confidentiality requirements of this subchapter if the substance for which the claim was asserted is subsequently deleted from Appendix A of this chapter.

(c) A respondent 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 writing, delivered to the Department at the following address:

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

(d) A request for an adjudicatory hearing under (c) above shall contain the following information:

1. The name, address, and telephone number of the respondent;
2. Information supporting the request, and specific references to or copies of other documents relied upon to support the request;
3. An estimate of the time required for the hearing (in days and/or hours); and
4. A request, if necessary, for a barrier-free hearing location.

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

1. The respondent fails to provide all information required under (c) above;
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. 7:1F-2.7.

(f) 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.

(g) At the adjudicatory hearing, the respondent shall have the burden of showing that the proposed disclosure is not in accordance with this N.J.A.C. 7:1F.

(h) 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.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Added new rules at (b) through (g) regarding adjudicatory hearings prior to disclosure.

Amended by R.1993 d.408, effective August 16, 1993.
See: 25 N.J.R. 2166(a), 25 N.J.R. 3754(a).

7:1F-2.3 Confidentiality determinations

(a) Information for which a confidentiality claim has been asserted will be treated by the Department as entitled to confidential treatment, unless the Department determines that the information is not entitled to confidential treatment as provided in this section.

(b) The Department shall act upon a confidentiality claim and determine whether information is or is not entitled to confidential treatment whenever the Department:

1. Receives a request under N.J.S.A. 47:1A-1 et seq., (The "Right to Know" Law) to inspect or copy such information; or
2. Desires to determine whether information in its possession is entitled to confidential treatment; or
3. Desires for any reason in the public interest to disclose the information to persons not authorized by this chapter to have access to confidential information.

(c) The Director shall make the initial determination of whether information is or is not entitled to confidential treatment.

1. If the determination is being made in response to a request under the "Right to Know" Law, N.J.S.A. 47:1A-1 et seq., the Director shall notify the respondent who submitted the information that such a request has been made, and of the Director's determination. The notice shall state the identity of the person who made the disclosure request.

2. In all other cases, if the Director determines that information is not entitled to confidential treatment he or she shall so notify the respondent who submitted the information. Such notice shall state the identity of the person or persons, if any, to whom the Director intends to disclose the information.

3. Any notice required under this subsection shall be sent by certified mail, return receipt requested. The notice shall state the reasons for the Director's determination, and the time allowed for comments or exceptions. The notice shall further state that failure of a respondent to furnish timely comments will be construed as a waiver of the respondent's confidentiality claim.

4. The notice required under this subsection shall be directed to the person named as "Person to Contact Regarding This Report" in Section 1 of respondent's completed questionnaire, unless respondent has in writing directed that communications with regard to confidentiality claims be addressed to some other individual, in which event the notice will be directed to that individual.

(d) A respondent who wishes to contest a determination by the Director shall, within 30 days of notification of the determination, submit evidence to support the respondent's contention that the Director's determination was incorrect. The evidence may include, but need not be limited to, a statement indicating:

1. The period of time for which confidential treatment is desired by the respondent (for example, until a certain date, until the occurrence of a specified event, or permanently);

2. The measures taken by the person to guard against undesired disclosure of the information to others;

3. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith; and

4. Whether the person asserts that disclosure of the information would be likely to result in substantial harmful effects to the person's competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

(e) Any information submitted to the Department by a respondent as part of its comments under subsection (d), if not otherwise a public record, and if marked as "CONFIDENTIAL", shall be regarded by the Department as entitled to confidential treatment and will not be disclosed as a public record unless disclosure is ordered by a state or federal court.

(f) The Department shall extend the time limit for submitting comments under subsection (d) of this section for good cause shown by the respondent and upon receipt of a request in writing.

(g) After receiving the evidence, a review shall be conducted of the Director's initial determination. This review may be conducted by the Director or the Commissioner.

1. If, after review, the determination is made that the information is not entitled to confidential treatment, the Department shall so notify by certified mail, return receipt requested, the respondent and any person who requested disclosure of the information. Such determination shall be made after consideration of the applicable criteria in N.J.A.C. 7:1F-2.4. 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 tenth working day following receipt by the respondent of the written notice.

2. If, after review, the determination is made that information is entitled to confidential treatment, the information shall not be disclosed, except as otherwise provided by these regulations. Both the respondent and any person who requested disclosure of the information shall be notified of the Department's determination by certified mail, return receipt requested. The notice shall state the basis for the determination and that it constitutes final agency action.

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Deleted references to the Director's "designees authorized in writing".

7:1F-2.4 Substantive criteria for use in confidentiality determinations

(a) Determinations made under N.J.A.C. 7:1F-2.3 shall hold that information is entitled to confidential treatment if:

1. The respondent has asserted a confidentiality claim which has not expired by its terms, been waived or withdrawn; and
2. The respondent has shown that it has taken reasonable measures to protect the confidentiality of the information, and that it intends to continue to take such measures; and
3. The information is not, and has not been, otherwise available to other persons without the respondent's consent (other than by discovery based on a showing of special need in a judicial or quasi-judicial proceeding, as long as the information has not become available to persons not involved in the proceeding); and
4. No statute specifically requires disclosure of the information; and
5. The respondent has shown that disclosure of the information would be likely to cause substantial harm to its competitive position.

7:1F-2.5 Disclosure of confidential information to other agencies

(a) The Director may disclose confidential information to persons other than Department employees, contractors or agents directly involved in conducting the Industrial Survey only as provided in this section or N.J.A.C. 7:1F-2.7.

(b) The Director may disclose confidential information obtained through the Industrial Survey to other officers, employees or agencies of the Department or the Department of Health if:

1. Such officer, employee or agency has an official need to know the information; and
2. The purpose for which the other officer, employee or agency needs to know the information cannot be carried out without disclosure of the information; and
3. No further disclosure of the confidential information will be made by the person to whom it is disclosed without the consent of the Director.

(c) The Director may disclose confidential information to any other State agency or to a Federal agency if:

1. The Director receives a written request for disclosure of the information from a duly authorized officer or employee of the other agency;
2. The request sets forth the official purpose for which the information is needed;

3. The Director notifies the other agency of his or her determination that the information is entitled to confidential treatment, or of any unresolved confidentiality claim covering the information;

4. The other agency has first furnished to the Director a written opinion from the agency's chief legal officer or counsel stating that under applicable law the agency has the authority to compel the person who submitted the information to the Department to disclose such information to the other agency;

5. The other agency agrees not to disclose the information further unless:

- i. The other agency has statutory authority both to compel production of the information and to make the proposed disclosure; or
- ii. The other agency has obtained the consent of the affected respondent to the proposed disclosure; and

6. The Director is satisfied that the other agency has adopted regulations or operates under statutory authority that will allow it to preserve confidential information from unauthorized disclosure, and the other agency agrees with the Department in writing to refrain from disclosure and to safeguard the information in accordance with the requirements of this N.J.A.C. 7:1F-2.

(d) The Director may disclose any confidential information to any person if he or she has obtained the written consent of the respondent to such disclosure. The giving of consent by a respondent to a disclosure shall not be deemed to waive a confidentiality claim with regard to further disclosures unless the authorized disclosure is of such a nature as to make the disclosed information accessible to the general public.

(e) Except as otherwise provided in the section on emergency disclosure (N.J.A.C. 7:1F-2.7), the Director shall notify in writing the respondent who supplied the confidential information of his or her intention to disclose it to any agency, other than an agency of the Department or the Department of Health, at least 10 working days in advance of the disclosure.

1. The Director shall notify in writing the respondent who supplied the confidential information of any disclosure made to any agency of the Department or the Department of Health other than those employees, contractors or agencies of the Department participating in the conduct of the Industrial Survey.

2. Notices required by this subsection shall state the date on which disclosure was made or is proposed to be made, the name of the person or body to whom disclosed, and a description of the information disclosed or to be disclosed.

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Deleted reference to the Director's "... designee authorized in writing" ...

7:1F-2.6 Disclosure of confidential information to contractors

(a) The Director may disclose confidential information to a contractor of the Department if he or she determines that such disclosure is necessary in order for the contractor to carry out work related to the Industrial Survey.

(b) No information shall be disclosed to a contractor unless the contract in question provides that the contractor and the contractor's employees, agents and representatives shall use the information only for the purpose of carrying out the work required by the contract, shall refrain from disclosing the information to anyone not authorized by the Director, and shall return to the Director all copies of the information, and any abstracts or extracts therefrom, upon request by the Director or whenever the information is no longer required by the contractor for the performance of the work required by the contract.

(c) Violation of these regulations shall constitute grounds for debarment or suspension of the contractor or contractor's employee in question, as provided in N.J.A.C. 7:1-5.1 et seq.

(d) Before disclosing confidential information to a contractor under (a) above, the Department shall notify the respondent of the proposed disclosure in writing, delivered by certified mail, return receipt requested, at least 14 days before making the disclosure. The notice shall state the information to be disclosed, the identity of the contractor, and the scheduled date of disclosure. If, at least three working days before the scheduled date of disclosure, the claimant delivers to the Department information sufficient to establish that the proposed disclosure would be likely to cause substantial harm to its competitive position, the Department shall refrain from making the disclosure.

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Added new (d) requiring respondent notification at least 14 days before disclosure of confidential information to a contractor.

7:1F-2.7 Emergency disclosure

(a) If the Director finds that disclosure of confidential information would serve to alleviate an imminent and substantial danger to public health or safety he or she may:

1. Prescribe and make known to the respondent such shorter comment period (N.J.A.C. 7:1F-2.3(d)), post-termination waiting period (N.J.A.C. 7:1F-2.3(f)), or both, as he or she finds necessary under the circumstances; or

2. Disclose confidential information to any person whose role in alleviating the danger to public health or safety necessitates that person's knowing the information. Any such disclosure shall be limited to the minimum information necessary to enable the person to whom it is disclosed to carry out his role in alleviating the dangerous situation.

(b) Any disclosure made pursuant to this section shall not be deemed a waiver of a confidentiality claim, nor shall it of itself be grounds for any determination that information is no longer entitled to confidential treatment.

Amended by R.1992 d.209, effective May 18, 1992.

See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Deleted reference to the Director's designee.

7:1F-2.8 Security procedures for the Industrial Survey

(a) Questionnaires returned to the Industrial Survey Project by respondents will be opened only by persons authorized by the Director engaged in conducting the Industrial Survey.

(b) No person, other than a person authorized by the Director, shall open any envelope addressed to the Industrial Survey Project which is marked "CONFIDENTIAL".

(c) Questionnaires and copies thereof shall be stored by the Industrial Survey Project or its contractors only in locked cabinets in secure rooms.

(d) Any record made or maintained by the Department, its authorized agents or contractors which contains confidential information shall contain appropriate indicators identifying the confidential information.

7:1F-2.9 Wrongful access or disclosure; penalties

(a) No person shall disclose, seek access to, obtain or have possession of any confidential information obtained as a result of the Industrial Survey except as authorized by this subchapter.

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

(c) If the Director finds that any person has violated the regulations of this subchapter, he or she may:

1. Commence a civil action in Superior Court for a restraining order and an injunction barring that person from further disclosing confidential information.
2. Pursue any other remedy available to him by law.

(d) In addition to any other penalty that may be sought by the Director, violation of the regulations of this subchapter by a Department employee, thereby exceeding the scope of his or her authority, 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 use of any other remedy.

Amended by R.1992 d.209, effective May 18, 1992.
See: 24 N.J.R. 717(a), 24 N.J.R. 1883(b).

Deleted reference to the Director's representative.

APPENDIX A

TABLE 1. SELECTED SUBSTANCES

All chemical compounds and/or complexes containing a selected substance (including organic, inorganic and organo-metallics) are to be reported under the given CAS code number and identified on the survey form.

CAS NO.	HALOGENATED ALKANES AND ALKENES	118-74-1	Hexachlorobenzene
107-05-1	Allyl chloride (1-Chloro-2-propene)	13654-09-6	Polybrominated biphenyls (PBBs)
75-25-2	Bromoform (Tribromomethane)	11097-69-1	Polychlorinated biphenyls (PCBs)
56-23-5	Carbon tetrachloride	1264-23-8	Polychlorinated Triphenyls (PCTs)
67-66-3	Chloroform	120-82-1	1,2,4-Trichlorobenzene
126-99-8	Chloroprene (2-Chloro-1, 3-butadiene)	CAS NO.	PHthalATES
106-93-4	1,2-Dibromoethane (Ethylene dibromide)	117-81-7	Bis (2-ethylhexyl) phthalate
75-27-4	Dichlorobromomethane	85-68-7	Butyl benzyl phthalate
107-06-2	1,2-Dichloroethane (Ethylene dichloride)	84-74-2	Di-n-butyl phthalate
540-59-0	1,2-Dichloroethylene	84-66-2	Diethyl phthalate
78-87-5	1,2-Dichloropropane	117-84-0	Di-n-octyl phthalate
542-75-6	1,3-Dichloropropylene	131-11-3	Dimethyl phthalate
87-68-3	Hexachlorobutadiene	CAS NO.	ETHERS, EPOXIDES, ALDEHYDES AND ANHYDRIDES
77-47-4	Hexachlorocyclopentadiene	107-02-8	Acrolein
67-72-1	Hexachloroethane	111-44-4	Bis (2-chloroethyl) ether
74-83-9	Methyl bromide	542-88-1	Bis (2-chloromethyl) ether
74-87-3	Methyl chloride	1462-53-5	Diepoxybutane
75-09-2	Methylene chloride (Dichloromethane)	123-91-1	Dioxane
79-34-5	1,1,2,2-Tetrachloroethane	106-89-8	Epichlorohydrin (1-chloro-2,3-epoxypropane)
127-18-4	Tetrachloroethylene (Perchloroethylene)	50-00-0	Formaldehyde
71-55-6	1,1,1-Trichloroethane (Methyl chloroform)	108-31-6	Maleic anhydride
79-00-5	1,1,2-Trichloroethane	57-57-8	β -Propiolactone
79-01-6	Trichloroethylene	75-56-9	Propylene oxide
75-69-4	Trichlorofluoromethane	CAS NO.	IMINES, NITRILES AND HYDRAZINES
593-60-2	Vinyl Bromide	107-13-1	Acrylonitrile
75-01-4	Vinyl chloride	57-14-7	1,1-Dimethyl hydrazine
75-35-4	Vinylidene chloride (1,1-Dichloroethylene)	151-56-4	Ethyleneimine (Aziridine)
CAS NO.	PHENOLS	302-01-2	Hydrazine
95-57-8	2-Chlorophenol	75-55-8	Propyleneimine
120-83-2	2,4-Dichlorophenol (DCP)	CAS NO.	NITROSO COMPOUNDS
105-67-9	2,4-Dimethylphenol (m-xylene)	55-18-5	N-Nitrosodiethylamine
534-52-1	4,6-Dinitro-o-cresol	62-75-9	N-Nitrosodimethylamine
51-28-5	2,4-dinitrophenol	138-89-6	p-Nitrosodimethylaniline
88-75-5	2-Nitrophenol	66-30-6	N-Nitrosodiphenylamine
100-02-7	4-Nitrophenol	156-10-5	p-Nitrosodiphenylamine
87-86-5 +	Pentachlorophenol (PCP)	CAS NO.	AMIDES AND AMINO COMPOUNDS
108-95-2	Phenol	60-35-5	Acetamide
95-95-4	2,4,5-Trichlorophenol	62-53-3	Aniline (and salts)
88-06-2	2,4,6-Trichlorophenol	117-79-3	2-Aminoanthraquinone
CAS NO.	HALOGENATED AROMATICS	60-09-3	p-Aminoazobenzene
108-90-7	Chlorobenzene	55-21-0	Benzamide
91-58-7	2-Chloronaphthalene	92-87-5	Benzidine
1163-19-5	Decabromodiphenyl oxide	95-80-7	2,4-Diaminotoluene
95-50-1	1,2-Dichlorobenzene	91-94-1	3,3'-Dichlorobenzidine
541-73-1	1,3-Dichlorobenzene	101-14-4	4,4'-Methylene bis (2-chloroaniline) (MOCA)
106-46-7	1,4-Dichlorobenzene	134-32-7	α -Naphthylamine
		91-59-8	β -Naphthylamine
		CAS NO.	PESTICIDES
		309-00-2	Aldrin
		58-89-9	BHCs & Lindane
		133-06-2	Captan
		63-25-2	Carbaryl (1-Naphthalenol Methyl Carbamate)
		133-90-4	Cloramben
		57-74-9	Chlordane
		510-15-6	Chlorobenzilate
		74-75-7	2,4-D
		50-29-3	DDT
		96-12-8	1,2-Dibromo-3-chloropropane (DBCP)
		60-57-1	Dieldrin
		115-29-7	Endosulfan
		72-20-8	Endrin
		76-44-8	Heptachlor
		115-32-2	Kelthane (Dicofol)
		143-50-0	Kepone
		*72-43-5	Methoxychlor
		2385-85-5	Mirex
		56-38-2	Parathion

87-86-5 Pentachlorophenol
 82-68-8 Quintozene (PCNB) (Pentachloronitrobenzene)
 61789-48-2 Strobane (Terpene polychlorinates)
 93-76-5 2,4,5-T (2,4,5-(Trichlorophenoxy) acetic acid)
 8001-35-2 Toxaphene

CAS NO. AROMATIC HYDROCARBONS

120-12-7 Anthracene
 71-43-2 Benzene
 92-52-4 Biphenyl
 100-41-4 Ethyl benzene
 91-20-3 Napthalene
 108-88-3 Toluene

CAS NO. INORGANICS (INCLUDE SALTS OF THESE COMPOUNDS)

7440-36-0 Antimony
 7440-38-2 Arsenic
 7440-41-7 Beryllium
 7440-43-9 Cadmium
 156-62-7 Calcium cyanamide
 7440-47-3 Chromium
 7440-50-8 Copper, except compounds:
 C.I. Pigment Blue 15, Phthalocyanine Blue (CAS No. 147-14-8)
 C.I. Pigment Green 7, Phthalocyanine Green (CAS No. 1328-53-6)
 C.I. Pigment Green 36, Phthalocyanine Green (CAS No. 14302-13-7)
 57-12-5 Cyanide
 7439-92-1 Lead
 7439-97-6 Mercury
 7440-02-0 Nickel
 7782-49-2 Selenium
 7440-22-4 Silver
 7440-28-0 Thallium
 7440-66-6 Zinc

CAS NO. NITRO COMPOUNDS

121-14-2 2,4-Dinitrotoluene
 606-20-2 2,6-Dinitrotoluene
 98-95-3 Nitrobenzene
 79-46-9 2-Nitropropane

CAS NO. DYES

2650-18-2 Brilliant Blue FCF salts
 129-17-9 (Sodium) Blue VRS
 60-11-7 C.I. Solvent Yellow 2
 6358-53-8 Citrus Red No. 2
 128-66-5 C.I. Vat Yellow 4
 1937-37-7 Direct Black 38
 2602-46-2 Direct Blue 6
 10300-74-0 Direct Brown 95
 2832-40-8 C.I. Disperse Yellow 3
 569-64-2 Fast Green 0
 4680-78-8 Guinea Green B
 5141-20-8 Light Green SF
 2646-17-5 Oil Orange SS
 3761-53-3 Ponceau MX
 3564-09-8 Ponceau 3R
 81-88-9 Rhodamine B
 989-38-8 Rhodamine 6G
 842-07-6 Sudan I
 3118-97-6 Sudan II

CAS NO. MISC.

1332-21-4 Asbestos
 62-56-6 Thiourea
 75-44-5 Phosgene

Amended by R.1980 d.181, effective April 25, 1980.
 See: 12 N.J.R. 107(c), 12 N.J.R. 313(b).
 Amended by R.1993 d.408, effective August 16, 1993.
 See: 25 N.J.R. 2166(a), 25 N.J.R. 3754(a).
 Public Notice: Petition for rulemaking.
 See: 27 N.J.R. 4010(b).