

~ NOTICE OF TRANSFER ~
OF
TOXIC SUBSTANCES CONTROL ACT
LOW VOLUME EXEMPTION
(for exemptions processed before 5/30/95)

Company (Transferor)

LVE Number

1. Transfer of Manufacture Rights. Effective on _____, the Company did sell or otherwise transfer to _____ ("Successor in Interest") the rights and liabilities associated with manufacture of the above-referenced chemical substance, which was the subject of a Low Volume Exemption (LVE) governed by the LVE rule at 40 CFR 723.50(c)(1), promulgated by the U.S. Environmental Protection Agency (EPA) under authority of §5(h)(4) of the Toxic Substances Control Act (TSCA, 15 U.S.C. §2604(h)(4)).

2. Assumption of Liability. (a) The Successor in Interest shall be liable for compliance with the requirements of this LVE effective as of the date and time of transfer. The Successor in Interest hereby certifies that, as of the effective date of transfer, all actions or omissions governed by the applicable TSCA LVE limiting manufacture, processing, use, distribution in commerce and disposal of the LVE substance, shall be the responsibility of the Successor in Interest. Successor in Interest also certifies that it is incorporated, licensed, or doing business in the United States in accordance with 40 CFR 720.22(3).

(b) The Company shall be liable for compliance with the requirements of this LVE until the effective date and time of the transfer described above. Nothing in this notice shall be construed to prohibit EPA from taking enforcement action against the Company after the effective date of the transfer for actions taken, or omissions made, during the time in which the Company manufactured, processed, used, distributed in commerce, or disposed of the LVE substance pursuant to the terms of this LVE.

3. Certification of Compliance. Successor in Interest hereby certifies that the LVE chemical substance meets all applicable exemption conditions and that Successor in Interest will not, without satisfying the applicable notice requirements, exceed the 1,000 kilograms per year production volume limit of 40 CFR 720.50(m), nor engage in any changes to exposure controls, site or use that would require submission to EPA of a new LVE notice (or other TSCA §5 notice) pursuant to 40 CFR 723.50(e)(viii) and 723.50(i). Under those provisions, changes involving human exposure and environmental release controls, site or use require submission of a new notice. Furthermore, under 40 CFR 723.50(m) of the amended LVE rule (effective May 30, 1995), "EPA will not accept requests to amend exemptions granted under the superseded requirements; manufacturers wishing to amend such exemptions must submit a new exemption under paragraph (e)" of the amended LVE rule.

4. Confidential Business Information. The Successor in Interest hereby: _____ reasserts, or _____ relinquishes, or _____ modifies [*check-mark the appropriate blank*] all Confidential Business Information (CBI) claims made by the Company, pursuant to Section 14 of TSCA and 40 CFR Part 2, for the LVE substance(s). Where "reasserts" or "relinquishes" is indicated, that designation shall be deemed to apply to all such claims. Where "modifies" is

indicated, such modification shall be explained in detail in an attachment to this Notice of Transfer. The Successor in Interest's company name (and thus this Notice of Transfer document) _____ is or _____ is not claimed CBI.

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(continued)

Company (Transferor)

LVE Number

Signature of Authorized Official

Date

Printed Name of Authorized Official

Title of Authorized Official

Successor in Interest

Signature of Authorized Official

Date

Printed Name of Authorized Official

Title of Authorized Official

Address

City, State, Zip Code

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(continued)

Successor's Technical Contact

Address

City, State, Zip Code

Phone