

**Subpart B—Specific Chemical Testing/Reporting Requirements**

**§ 766.20 Who must test.**

(a) Any person who manufactures, imports, or processes a chemical substance listed in § 766.25 must test that chemical substance and must submit appropriate information to EPA according to the schedules described in § 766.35. Chemical substances manufactured, imported or processed between January 1, 1984 and the date of promulgation of this part are subject to testing upon the effective date of this part. All other chemical substances are subject to testing immediately upon manufacture, import or processing. EPA expects that only manufacturers and importers will perform testing, and that the cost of testing will be passed on to processors through the pricing mechanism, thereby enabling them to share in the cost of testing. However, processors will be called upon to sponsor testing should manufacturers and importers fail to do so. A processor may apply for an exemption from testing upon certification to EPA that a manufacturer or importer is testing the chemical substance which that person processes.

(b) If no manufacturer or importer described in § 766.20 submits a letter of intent to perform testing within the period described under § 766.35(a), or an exemption application under § 790.45(a), or a request for an exclusion or waiver under § 766.32, EPA will issue a notice in the FEDERAL REGISTER to notify all processors of that chemical substance. The notice will state that EPA has not received any of the documents described in the previous sentence, and that current processors will have 30 days to submit either a letter of intent to perform the test or submit an exemption application.

(c) If no manufacturer, importer or processor submits a letter of intent to perform testing of a specific chemical substance produced by a specific process, EPA will notify all manufacturers, importers, and processors, either by notice in the FEDERAL REGISTER or by letter, that all exemption applications will be denied and that within 30 days all manufacturers, importers, and processors will be in violation of this part

until a proposed study plan is submitted for required testing.

(d) Manufacturers, importers, and processors who are subject to this part must comply with the test rule development and exemption procedures in part 790 of this chapter, except as modified in this part.

**§ 766.25 Chemical substances for testing.**

(a) *Listing of chemical substances.* Chemical substances required to be tested for HDDs/HDFs under this rule are listed in this section. The listing is by Chemical Abstracts Service (CAS) Number and common name.

NOTE: For purposes of guidance only, EPA lists the chemical substances subject to testing under this part in two classes—those known to be manufactured or imported between January 1, 1984, and promulgation of this part, and those not known to be manufactured or imported at the time of promulgation of this part.

(1) *Chemicals substances known to be manufactured between January 1, 1984 and date of promulgation of this part.*

CAS No.	Chemical name
79-94-7	Tetrabromobisphenol-A.
118-75-2	2,3,5,6-Tetrachloro-2,5-cyclohexadiene-1,4-dione.
118-79-6	2,4,6-Tribromophenol.
120-83-2	2,4-Dichlorophenol.
1163-19-5	Decabromodiphenyl oxide.
4162-45-2	Tetrabromobisphenol-A-bisethoxylate.
21850-44-2	Tetrabromobisphenol-A-bis-2,3-dibromopropyl ether.
25327-89-3	Allyl ether of tetrabromobisphenol-A.
32534-81-9	Pentabromodiphenyl oxide.
32536-52-0	Octabromodiphenyl oxide.
37853-59-1	1,2-Bis(tribromophenoxy)-ethane.
55205-38-4	Tetrabromobisphenol-A diacrylate.

(2) *Chemicals not known to be manufactured between January 1, 1984 and the date of promulgation of this part.*

CAS No.	Chemical name
79-95-8	Tetrachlorobisphenol-A.
87-10-5	3,4',5-Tribromosalicylanilide.
87-65-0	2,6-Dichlorophenol.
95-77-2	3,4-Dichlorophenol.
95-95-4	2,4,5-Trichlorophenol.
99-28-5	2,6-Dibromo-4-nitrophenol.
120-36-5	2[2,4-(Dichlorophenoxy)]-propionic acid.
320-72-9	3,5-Dichlorosalicyclic acid.
488-47-1	Tetrabromocatechol.
576-24-9	2,3-Dichlorophenol.
583-78-8	2,5-Dichlorophenol.
608-71-9	Pentabromophenol.
615-58-7	2,4-Dibromophenol.
933-75-5	2,3,6-Trichlorophenol.
1940-42-7	4-Bromo-2,5-dichlorophenol.
2577-72-2	3,5-Dibromosalicylanilide.