

Dated: March 30, 1989.

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Administrator.

For the reasons set out in the preamble, Title 40 of the Code of Federal Regulations is amended as follows:

PART 302—DESIGNATION, REPORTABLE QUANTITIES, AND NOTIFICATION

1. The authority citation for Part 302 continues to read as follows:

Authority: Sec. 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9602; secs. 311 and 501(a) of the Federal Water Pollution Control Act, 33 U.S.C. 1321 and 1361.

2. Section 302.5 is amended by revising paragraph (a) to read as follows:

§ 302.5 Determination of reportable quantities.

(a) *Listed hazardous substances.* The quantity listed in the column "Final RQ" for each substance in Table 302.4, or in Appendix B to Table 302.4, is the reportable quantity (RQ) for that substance. The RQs in Table 302.4 are in units of pounds based on chemical toxicity, while the RQs in Appendix B to Table 302.4 are in units of curies based on radiation hazard. Whenever the RQs in Table 302.4 and Appendix B to the table are in conflict, the lowest RQ shall apply.

3. Section 302.6 is amended by redesignating paragraph (c) as (d) and by revising paragraph (b) and the newly designated (d) and by adding a new paragraph (c) to read as follows:

§ 302.6 Notification requirements.

(b) Releases of mixtures or solutions of

(1) Hazardous substances, except for radionuclides, are subject to this section's notification requirements only where a component hazardous substance of the mixture or solution is released in a quantity equal to or greater than its RQ.

(2) Radionuclides are subject to this section's notification requirements only in the following circumstances:

(i) If the identity and quantity (in curies) of each radionuclide in a released mixture or solution is known, the ratio between the quantity released (in curies) and the RQ for the radionuclide must be determined for each radionuclide. The only such releases subject to this section's notification requirements are those in which the sum of the ratios for the

radionuclides in the mixture or solution released is equal to or greater than one.

(ii) If the identity of each radionuclide in a released mixture or solution is known but the quantity released (in curies) of one or more of the radionuclides is unknown, the only such releases subject to this section's notification requirements are those in which the total quantity (in curies) of the mixture or solution released is equal to or greater than the lowest RQ of any individual radionuclide in the mixture or solution.

(iii) If the identity of one or more radionuclides in a released mixture or solution is unknown (or if the identity of a radionuclide released by itself is unknown), the only such releases subject to this section's notification requirements are those in which the total quantity (in curies) released is equal to or greater than either one curie or the lowest RQ of any known individual radionuclide in the mixture or solution, whichever is lower.

(c) The following categories of releases are exempt from the notification requirements of this section:

- (1) Releases of those radionuclides that occur naturally in the soil from land holdings such as parks, golf courses, or other large tracts of land;
- (2) releases of radionuclides occurring naturally from the disturbance of land for purposes other than mining, such as for agricultural or construction activities;
- (3) releases of radionuclides from the dumping of coal and coal ash at utility and industrial facilities with coal-fired boilers; and
- (4) releases of radionuclides from coal and coal ash piles at utility and industrial facilities with coal-fired boilers.

(d) Except for releases of radionuclides, notification of the release of an RQ of solid particles of antimony, arsenic, beryllium, cadmium, chromium, copper, lead, nickel, selenium, silver, thallium, or zinc is not required if the mean diameter of the particles released is larger than 100 micrometers (0.004 inches).

§ 302.4 [Amended]

4. In Section 302.4, Table 302.4 is amended by revising the entry for "Radionuclides" under the "Final RQ" column for "Pounds (kg)" to read: "§."

5. In Section 302.4, Table 302.4 is amended by revising the footnote at the end of the table explaining "§" to read: "§—the adjusted RQs for radionuclides may be found in Appendix B to this table."

6. In Section 302.4, Table 302.4 is amended by adding the following table as Appendix B:

APPENDIX B—RADIONUCLIDES

Radionuclide	Atomic Number	Final RQ Ci (Bq)
Radionuclides*		1& (3.7E 10)
Actinium-224	89	100 (3.7E 12)
Actinium-225	89	1 (3.7E 10)
Actinium-226	89	10 (3.7E 11)
Actinium-227	89	0.001 (3.7E 7)
Actinium-228	89	10 (3.7E 11)
Aluminum-26	13	10 (3.7E 11)
Americium-237	95	1000 (3.7E 13)
Americium-238	95	100 (3.7E 12)
Americium-239	95	100 (3.7E 12)
Americium-240	95	10 (3.7E 11)
Americium-241	95	0.01 (3.7E 8)
Americium-242m	95	0.01 (3.7E 8)
Americium-242	95	100 (3.7E 12)
Americium-243	95	0.01 (3.7E 8)
Americium-244m	95	1000 (3.7E 13)
Americium-244	95	10 (3.7E 11)
Americium-245	95	1000 (3.7E 13)
Americium-246m	95	1000 (3.7E 13)
Americium-246	95	1000 (3.7E 13)
Antimony-115	51	1000 (3.7E 13)
Antimony-116m	51	100 (3.7E 12)
Antimony-116	51	1000 (3.7E 13)
Antimony-117	51	1000 (3.7E 13)
Antimony-118m	51	10 (3.7E 11)
Antimony-119	51	1000 (3.7E 13)
Antimony-120 (16 min)	51	1000 (3.7E 13)
Antimony-120 (5.76 day)	51	10 (3.7E 11)
Antimony-122	51	10 (3.7E 11)
Antimony-124m	51	1000 (3.7E 13)
Antimony-124	51	10 (3.7E 11)
Antimony-125	51	10 (3.7E 11)
Antimony-126m	51	1000 (3.7E 13)
Antimony-126	51	10 (3.7E 11)
Antimony-127	51	10 (3.7E 11)
Antimony-128 (10.4 min)	51	1000 (3.7E 13)
Antimony-128 (9.01 hr)	51	10 (3.7E 11)
Antimony-129	51	100 (3.7E 12)
Antimony-130	51	100 (3.7E 12)
Antimony-131	51	1000 (3.7E 13)
Argon-39	18	1000 (3.7E 13)
Argon-41	18	10 (3.7E 11)
Arsenic-69	33	1000 (3.7E 13)
Arsenic-70	33	100 (3.7E 12)
Arsenic-71	33	100 (3.7E 12)
Arsenic-72	33	10 (3.7E 11)
Arsenic-73	33	100 (3.7E 12)
Arsenic-74	33	10 (3.7E 11)
Arsenic-76	33	100 (3.7E 12)
Arsenic-77	33	1000 (3.7E 13)
Arsenic-78	33	100 (3.7E 12)
Astatine-207	85	100 (3.7E 12)
Astatine-211	85	100 (3.7E 12)
Barium-126	56	1000 (3.7E 13)
Barium-128	56	10 (3.7E 11)
Barium-131m	56	1000 (3.7E 13)
Barium-131	56	10 (3.7E 11)
Barium-133m	56	100 (3.7E 12)
Barium-133	56	10 (3.7E 11)
Barium-135m	56	1000 (3.7E 13)
Barium-139	56	1000 (3.7E 13)
Barium-140	56	10 (3.7E 11)
Barium-141	56	1000 (3.7E 13)
Barium-142	56	1000 (3.7E 13)
Berkelium-245	97	100 (3.7E 12)
Berkelium-246	97	10 (3.7E 11)
Berkelium-247	97	0.01 (3.7E 8)
Berkelium-249	97	1 (3.7E 10)
Berkelium-250	97	100 (3.7E 12)
Beryllium-7	4	100 (3.7E 12)
Beryllium-10	4	1 (3.7E 10)
Bismuth-200	83	100 (3.7E 12)
Bismuth-201	83	100 (3.7E 12)
Bismuth-202	83	1000 (3.7E 13)
Bismuth-203	83	10 (3.7E 11)

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic Number	Final RQ Ci (Bq)
Bismuth-205	83	10 (3.7E 11)
Bismuth-206	83	10 (3.7E 11)
Bismuth-207	83	10 (3.7E 11)
Bismuth-210m	83	0.1 (3.7E 9)
Bismuth-210	83	10 (3.7E 11)
Bismuth-212	83	100 (3.7E 12)
Bismuth-213	83	100 (3.7E 12)
Bismuth-214	83	100 (3.7E 12)
Bromine-74m	35	100 (3.7E 12)
Bromine-74	35	100 (3.7E 12)
Bromine-75	35	100 (3.7E 12)
Bromine-76	35	10 (3.7E 11)
Bromine-77	35	100 (3.7E 12)
Bromine-80m	35	1000 (3.7E 13)
Bromine-80	35	1000 (3.7E 13)
Bromine-82	35	10 (3.7E 11)
Bromine-83	35	1000 (3.7E 13)
Bromine-84	35	100 (3.7E 12)
Cadmium-104	48	1000 (3.7E 13)
Cadmium-107	48	1000 (3.7E 13)
Cadmium-109	48	1 (3.7E 10)
Cadmium-113m	48	0.1 (3.7E 9)
Cadmium-113	48	0.1 (3.7E 9)
Cadmium-115m	48	10 (3.7E 11)
Cadmium-115	48	100 (3.7E 12)
Cadmium-117m	48	10 (3.7E 11)
Cadmium-117	48	100 (3.7E 12)
Calcium-41	20	10 (3.7E 11)
Calcium-45	20	10 (3.7E 11)
Calcium-47	20	10 (3.7E 11)
Californium-244	98	1000 (3.7E 13)
Californium-246	98	10 (3.7E 11)
Californium-248	98	0.1 (3.7E 9)
Californium-249	98	0.01 (3.7E 8)
Californium-250	98	0.01 (3.7E 8)
Californium-251	98	0.01 (3.7E 8)
Californium-252	98	0.1 (3.7E 9)
Californium-253	98	10 (3.7E 11)
Californium-254	98	0.1 (3.7E 9)
Carbon-11	6	1000 (3.7E 13)
Carbon-14	6	10 (3.7E 11)
Cerium-134	58	10 (3.7E 11)
Cerium-135	58	10 (3.7E 11)
Cerium-137m	58	100 (3.7E 12)
Cerium-137	58	1000 (3.7E 13)
Cerium-139	58	100 (3.7E 12)
Cerium-141	58	10 (3.7E 11)
Cerium-143	58	100 (3.7E 12)
Cerium-144	58	1 (3.7E 10)
Cesium-125	55	1000 (3.7E 13)
Cesium-127	55	100 (3.7E 12)
Cesium-129	55	100 (3.7E 12)
Cesium-130	55	1000 (3.7E 13)
Cesium-131	55	1000 (3.7E 13)
Cesium-132	55	10 (3.7E 11)
Cesium-134m	55	1000 (3.7E 13)
Cesium-134	55	1 (3.7E 10)
Cesium-135m	55	100 (3.7E 12)
Cesium-135	55	10 (3.7E 11)
Cesium-136	55	10 (3.7E 11)
Cesium-137	55	1 (3.7E 10)
Cesium-138	55	100 (3.7E 12)
Chlorine-36	17	10 (3.7E 11)
Chlorine-38	17	100 (3.7E 12)
Chlorine-39	17	100 (3.7E 12)
Chromium-48	24	100 (3.7E 12)
Chromium-49	24	1000 (3.7E 13)
Chromium-51	24	1000 (3.7E 13)
Cobalt-55	27	10 (3.7E 11)
Cobalt-56	27	10 (3.7E 11)
Cobalt-57	27	100 (3.7E 12)
Cobalt-58m	27	1000 (3.7E 13)
Cobalt-58	27	10 (3.7E 11)
Cobalt-60m	27	1000 (3.7E 13)
Cobalt-60	27	10 (3.7E 11)

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic number	Final RQ Ci (Bq)
Cobalt-61	27	1000 (3.7E 13)
Cobalt-62m	27	1000 (3.7E 13)
Copper-60	29	100 (3.7E 12)
Copper-61	29	100 (3.7E 12)
Copper-64	29	1000 (3.7E 13)
Copper-67	29	100 (3.7E 12)
Curium-238	96	1000 (3.7E 13)
Curium-240	96	1 (3.7E 10)
Curium-241	96	10 (3.7E 11)
Curium-242	96	1 (3.7E 10)
Curium-243	96	0.01 (3.7E 8)
Curium-244	96	0.01 (3.7E 8)
Curium-245	96	0.01 (3.7E 8)
Curium-246	96	0.01 (3.7E 8)
Curium-247	96	0.01 (3.7E 8)
Curium-248	96	0.001 (3.7E 7)
Curium-249	96	1000 (3.7E 13)
Dysprosium-155	66	100 (3.7E 12)
Dysprosium-157	66	100 (3.7E 12)
Dysprosium-159	66	100 (3.7E 12)
Dysprosium-165	66	1000 (3.7E 13)
Dysprosium-166	66	10 (3.7E 11)
Einsteinium-250	99	10 (3.7E 11)
Einsteinium-251	99	1000 (3.7E 13)
Einsteinium-253	99	10 (3.7E 11)
Einsteinium-254m	99	1 (3.7E 10)
Einsteinium-254	99	0.1 (3.7E 9)
Erbium-161	68	100 (3.7E 12)
Erbium-165	68	1000 (3.7E 13)
Erbium-169	68	100 (3.7E 12)
Erbium-171	68	100 (3.7E 12)
Erbium-172	68	10 (3.7E 11)
Europium-145	63	10 (3.7E 11)
Europium-146	63	10 (3.7E 11)
Europium-147	63	10 (3.7E 11)
Europium-148	63	10 (3.7E 11)
Europium-149	63	100 (3.7E 12)
Europium-150 (12.6 hr)	63	1000 (3.7E 13)
Europium-150 (34.2 yr)	63	10 (3.7E 11)
Europium-152m	63	100 (3.7E 12)
Europium-152	63	10 (3.7E 11)
Europium-154	63	10 (3.7E 11)
Europium-155	63	10 (3.7E 11)
Europium-156	63	10 (3.7E 11)
Europium-157	63	10 (3.7E 11)
Europium-158	63	1000 (3.7E 13)
Fermium-252	100	10 (3.7E 11)
Fermium-253	100	10 (3.7E 11)
Fermium-254	100	100 (3.7E 12)
Fermium-255	100	100 (3.7E 12)
Fermium-257	100	1 (3.7E 10)
Fluorine-18	9	1000 (3.7E 13)
Francium-222	87	100 (3.7E 12)
Francium-223	87	100 (3.7E 12)
Gadolinium-145	64	100 (3.7E 12)
Gadolinium-146	64	10 (3.7E 11)
Gadolinium-147	64	10 (3.7E 11)
Gadolinium-148	64	0.001 (3.7E 7)
Gadolinium-149	64	100 (3.7E 12)
Gadolinium-151	64	100 (3.7E 12)
Gadolinium-152	64	0.001 (3.7E 7)
Gadolinium-153	64	10 (3.7E 11)
Gadolinium-159	64	1000 (3.7E 13)
Gallium-65	31	1000 (3.7E 13)
Gallium-66	31	10 (3.7E 11)
Gallium-67	31	100 (3.7E 12)
Gallium-68	31	1000 (3.7E 13)
Gallium-70	31	1000 (3.7E 13)
Gallium-72	31	10 (3.7E 11)
Gallium-73	31	100 (3.7E 12)
Germanium-66	32	100 (3.7E 12)
Germanium-67	32	1000 (3.7E 13)

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic number	Final RQ Ci (Bq)
Germanium-68	32	10 (3.7E 11)
Germanium-69	32	10 (3.7E 11)
Germanium-71	32	1000 (3.7E 13)
Germanium-75	32	1000 (3.7E 13)
Germanium-77	32	10 (3.7E 11)
Germanium-78	32	1000 (3.7E 13)
Gold-193	79	100 (3.7E 12)
Gold-194	79	10 (3.7E 11)
Gold-195	79	100 (3.7E 12)
Gold-198m	79	10 (3.7E 11)
Gold-198	79	100 (3.7E 12)
Gold-199	79	100 (3.7E 12)
Gold-200m	79	10 (3.7E 11)
Gold-200	79	1000 (3.7E 13)
Gold-201	79	1000 (3.7E 13)
Hafnium-170	72	100 (3.7E 12)
Hafnium-172	72	1 (3.7E 10)
Hafnium-173	72	100 (3.7E 12)
Hafnium-175	72	100 (3.7E 12)
Hafnium-177m	72	1000 (3.7E 13)
Hafnium-178m	72	0.1 (3.7E 9)
Hafnium-179m	72	100 (3.7E 12)
Hafnium-180m	72	100 (3.7E 12)
Hafnium-181	72	10 (3.7E 11)
Hafnium-182m	72	100 (3.7E 12)
Hafnium-182	72	0.1 (3.7E 9)
Hafnium-183	72	100 (3.7E 12)
Hafnium-184	72	100 (3.7E 12)
Holmium-155	67	1000 (3.7E 13)
Holmium-157	67	1000 (3.7E 13)
Holmium-159	67	1000 (3.7E 13)
Holmium-161	67	1000 (3.7E 13)
Holmium-162m	67	1000 (3.7E 13)
Holmium-162	67	1000 (3.7E 13)
Holmium-164m	67	1000 (3.7E 13)
Holmium-164	67	1000 (3.7E 13)
Holmium-166m	67	1 (3.7E 10)
Holmium-166	67	100 (3.7E 12)
Holmium-167	67	100 (3.7E 12)
Hydrogen-3	1	100 (3.7E 12)
Indium-109	49	100 (3.7E 12)
Indium-110 (69.1 min)	49	100 (3.7E 12)
Indium-110 (4.9 hr)	49	10 (3.7E 11)
Indium-111	49	100 (3.7E 12)
Indium-112	49	1000 (3.7E 13)
Indium-113m	49	1000 (3.7E 13)
Indium-114m	49	10 (3.7E 11)
Indium-115m	49	100 (3.7E 12)
Indium-115	49	0.1 (3.7E 9)
Indium-116m	49	100 (3.7E 12)
Indium-117m	49	100 (3.7E 12)
Indium-117	49	1000 (3.7E 13)
Indium-119m	49	1000 (3.7E 13)
Iodine-120m	53	100 (3.7E 12)
Iodine-120	53	10 (3.7E 11)
Iodine-121	53	100 (3.7E 12)
Iodine-123	53	10 (3.7E 11)
Iodine-124	53	0.1 (3.7E 9)
Iodine-125	53	0.01 (3.7E 8)
Iodine-126	53	0.01 (3.7E 8)
Iodine-128	53	1000 (3.7E 13)
Iodine-129	53	0.001 (3.7E 7)
Iodine-130	53	1 (3.7E 10)
Iodine-131	53	0.01 (3.7E 8)
Iodine-132m	53	10 (3.7E 11)
Iodine-132	53	10 (3.7E 11)
Iodine-133	53	0.1 (3.7E 9)
Iodine-134	53	100 (3.7E 12)
Iodine-135	53	10 (3.7E 11)
Iridium-182	77	1000 (3.7E 13)
Iridium-184	77	100 (3.7E 12)

APPENDIX B—RADIONUCLIDES			APPENDIX B—RADIONUCLIDES— Continued			APPENDIX B—RADIONUCLIDES— Continued		
Radionuclide	Atomic number	Final RQ Ci (Bq)	Radionuclide	Atomic number	Final RQ Ci (Bq)	Radionuclide	Atomic number	Final RQ Ci (Bq)
Iridium-185.....	77	100 (3.7E 12)	Manganese-56.....	25	100 (3.7E 12)	Phosphorus-33.....	15	1 (3.7E 10)
Iridium-186.....	77	10 (3.7E 11)	Mendelevium-257.....	101	100 (3.7E 12)	Platinum-186.....	78	100 (3.7E 12)
Iridium-187.....	77	100 (3.7E 12)	Mendelevium-258.....	101	1 (3.7E 10)	Platinum-188.....	78	100 (3.7E 12)
Iridium-188.....	77	10 (3.7E 11)	Mercury-193m.....	80	10 (3.7E 11)	Platinum-189.....	78	100 (3.7E 12)
Iridium-189.....	77	100 (3.7E 12)	Mercury-193.....	80	100 (3.7E 12)	Platinum-191.....	78	100 (3.7E 12)
Iridium-190m.....	77	1000 (3.7E 13)	Mercury-194.....	80	0.1 (3.7E 9)	Platinum-193m.....	78	100 (3.7E 12)
Iridium-190.....	77	10 (3.7E 11)	Mercury-195m.....	80	100 (3.7E 12)	Platinum-193.....	78	1000 (3.7E 13)
Iridium-192m.....	77	100 (3.7E 12)	Mercury-195.....	80	100 (3.7E 12)	Platinum-195m.....	78	100 (3.7E 12)
Iridium-192.....	77	10 (3.7E 11)	Mercury-197m.....	80	1000 (3.7E 13)	Platinum-197m.....	78	1000 (3.7E 13)
Iridium-194m.....	77	10 (3.7E 11)	Mercury-197.....	80	1000 (3.7E 13)	Platinum-197.....	78	1000 (3.7E 13)
Iridium-194.....	77	100 (3.7E 12)	Mercury-199m.....	80	1000 (3.7E 13)	Platinum-199.....	78	1000 (3.7E 13)
Iridium-195m.....	77	100 (3.7E 12)	Mercury-203.....	80	10 (3.7E 11)	Platinum-200.....	78	100 (3.7E 12)
Iridium-195.....	77	1000 (3.7E 13)	Molybdenum-90.....	42	100 (3.7E 12)	Plutonium-234.....	94	1000 (3.7E 13)
Iron-52.....	26	100 (3.7E 12)	Molybdenum-93m.....	42	10 (3.7E 11)	Plutonium-235.....	94	1000 (3.7E 13)
Iron-55.....	26	100 (3.7E 12)	Molybdenum-93.....	42	100 (3.7E 12)	Plutonium-236.....	94	0.1 (3.7E 9)
Iron-59.....	26	10 (3.7E 11)	Molybdenum-99.....	42	100 (3.7E 12)	Plutonium-237.....	94	1000 (3.7E 13)
Iron-60.....	26	0.1 (3.7E 9)	Molybdenum-101.....	42	1000 (3.7E 13)	Plutonium-238.....	94	0.01 (3.7E 8)
Krypton-74.....	36	10 (3.7E 11)	Neodymium-136.....	60	1000 (3.7E 13)	Plutonium-239.....	94	0.01 (3.7E 8)
Krypton-76.....	36	10 (3.7E 11)	Neodymium-138.....	60	1000 (3.7E 13)	Plutonium-240.....	94	0.01 (3.7E 8)
Krypton-77.....	36	10 (3.7E 11)	Neodymium-139m.....	60	100 (3.7E 12)	Plutonium-241.....	94	1 (3.7E 10)
Krypton-79.....	36	100 (3.7E 12)	Neodymium-139.....	60	1000 (3.7E 13)	Plutonium-242.....	94	0.01 (3.7E 8)
Krypton-81.....	36	1000 (3.7E 13)	Neodymium-141.....	60	1000 (3.7E 13)	Plutonium-243.....	94	1000 (3.7E 13)
Krypton-83m.....	36	1000 (3.7E 13)	Neodymium-147.....	60	10 (3.7E 11)	Plutonium-244.....	94	0.01 (3.7E 8)
Krypton-85m.....	36	100 (3.7E 12)	Neodymium-149.....	60	100 (3.7E 12)	Plutonium-245.....	94	100 (3.7E 12)
Krypton-85.....	36	1000 (3.7E 13)	Neodymium-151.....	60	1000 (3.7E 13)	Polonium-203.....	84	100 (3.7E 12)
Krypton-87.....	36	10 (3.7E 11)	Neptunium-232.....	93	1000 (3.7E 13)	Polonium-205.....	84	100 (3.7E 12)
Krypton-88.....	36	10 (3.7E 11)	Neptunium-233.....	93	1000 (3.7E 13)	Polonium-207.....	84	10 (3.7E 11)
Lanthanum-131.....	57	1000 (3.7E 13)	Neptunium-234.....	93	10 (3.7E 11)	Polonium-210.....	84	0.01 (3.7E 8)
Lanthanum-132.....	57	100 (3.7E 12)	Neptunium-235.....	93	1000 (3.7E 13)	Potassium-40.....	19	1 (3.7E 10)
Lanthanum-135.....	57	1000 (3.7E 13)	Neptunium-236 (1.2 E 5 yr).....	93	0.1 (3.7E 9)	Potassium-42.....	19	100 (3.7E 12)
Lanthanum-137.....	57	10 (3.7E 11)	Neptunium-236 (22.5 hr).....	93	100 (3.7E 12)	Potassium-43.....	19	10 (3.7E 11)
Lanthanum-138.....	57	1 (3.7E 10)	Neptunium-237.....	93	0.01 (3.7E 8)	Potassium-44.....	19	100 (3.7E 12)
Lanthanum-140.....	57	10 (3.7E 11)	Neptunium-238.....	93	10 (3.7E 11)	Potassium-45.....	19	1000 (3.7E 13)
Lanthanum-141.....	57	1000 (3.7E 13)	Neptunium-239.....	93	100 (3.7E 12)	Praseodymium-136.....	59	1000 (3.7E 13)
Lanthanum-142.....	57	100 (3.7E 12)	Neptunium-240.....	93	100 (3.7E 12)	Praseodymium-137.....	59	1000 (3.7E 13)
Lanthanum-143.....	57	1000 (3.7E 13)	Nickel-56.....	28	10 (3.7E 11)	Praseodymium-138m.....	59	100 (3.7E 12)
Lead-195m.....	82	1000 (3.7E 13)	Nickel-57.....	28	10 (3.7E 11)	Praseodymium-139.....	59	1000 (3.7E 13)
Lead-198.....	82	100 (3.7E 12)	Nickel-59.....	28	100 (3.7E 12)	Praseodymium-142m.....	59	1000 (3.7E 13)
Lead-199.....	82	100 (3.7E 12)	Nickel-63.....	28	100 (3.7E 12)	Praseodymium-142.....	59	100 (3.7E 12)
Lead-200.....	82	100 (3.7E 12)	Nickel-65.....	28	100 (3.7E 12)	Praseodymium-143.....	59	10 (3.7E 11)
Lead-201.....	82	100 (3.7E 12)	Nickel-66.....	28	10 (3.7E 11)	Praseodymium-144.....	59	1000 (3.7E 13)
Lead-202m.....	82	10 (3.7E 11)	Niobium-88.....	41	100 (3.7E 12)	Praseodymium-145.....	59	1000 (3.7E 13)
Lead-202.....	82	1 (3.7E 10)	Niobium-89 (66 min).....	41	100 (3.7E 12)	Praseodymium-147.....	59	1000 (3.7E 13)
Lead-203.....	82	100 (3.7E 12)	Niobium-89 (122 min).....	41	100 (3.7E 12)	Promethium-141.....	61	1000 (3.7E 13)
Lead-205.....	82	100 (3.7E 12)	Niobium-90.....	41	10 (3.7E 11)	Promethium-143.....	61	100 (3.7E 12)
Lead-209.....	82	1000 (3.7E 13)	Niobium-93m.....	41	100 (3.7E 12)	Promethium-144.....	61	10 (3.7E 11)
Lead-210.....	82	0.01 (3.7E 8)	Niobium-94.....	41	10 (3.7E 11)	Promethium-145.....	61	100 (3.7E 12)
Lead-211.....	82	100 (3.7E 12)	Niobium-95m.....	41	100 (3.7E 12)	Promethium-146.....	61	10 (3.7E 11)
Lead-212.....	82	10 (3.7E 11)	Niobium-95.....	41	10 (3.7E 11)	Promethium-147.....	61	10 (3.7E 11)
Lead-214.....	82	100 (3.7E 12)	Niobium-96.....	41	10 (3.7E 11)	Promethium-148m.....	61	10 (3.7E 11)
Lutetium-169.....	71	10 (3.7E 11)	Niobium-97.....	41	100 (3.7E 12)	Promethium-148.....	61	10 (3.7E 11)
Lutetium-170.....	71	10 (3.7E 11)	Niobium-98.....	41	1000 (3.7E 13)	Promethium-149.....	61	100 (3.7E 12)
Lutetium-171.....	71	10 (3.7E 11)	Osmium-180.....	76	1000 (3.7E 13)	Promethium-150.....	61	100 (3.7E 12)
Lutetium-172.....	71	10 (3.7E 11)	Osmium-181.....	76	100 (3.7E 12)	Promethium-151.....	61	100 (3.7E 12)
Lutetium-173.....	71	100 (3.7E 12)	Osmium-182.....	76	100 (3.7E 12)	Protactinium-227.....	91	100 (3.7E 12)
Lutetium-174m.....	71	10 (3.7E 11)	Osmium-185.....	76	10 (3.7E 11)	Protactinium-228.....	91	10 (3.7E 11)
Lutetium-174.....	71	10 (3.7E 11)	Osmium-189m.....	76	1000 (3.7E 13)	Protactinium-230.....	91	10 (3.7E 11)
Lutetium-176m.....	71	1000 (3.7E 13)	Osmium-191m.....	76	1000 (3.7E 13)	Protactinium-231.....	91	0.01 (3.7E 8)
Lutetium-176.....	71	1 (3.7E 10)	Osmium-191.....	76	100 (3.7E 12)	Protactinium-232.....	91	10 (3.7E 11)
Lutetium-177m.....	71	10 (3.7E 11)	Osmium-193.....	76	100 (3.7E 12)	Protactinium-233.....	91	100 (3.7E 12)
Lutetium-177.....	71	100 (3.7E 12)	Osmium-194.....	76	1 (3.7E 10)	Protactinium-234.....	91	10 (3.7E 11)
Lutetium-178m.....	71	1000 (3.7E 13)	Palladium-100.....	46	100 (3.7E 12)	Radium-223.....	88	1 (3.7E 10)
Lutetium-178.....	71	1000 (3.7E 13)	Palladium-101.....	46	100 (3.7E 12)	Radium-224.....	88	10 (3.7E 11)
Lutetium-179.....	71	1000 (3.7E 13)	Palladium-103.....	46	100 (3.7E 12)	Radium-225.....	88	1 (3.7E 10)
Magnesium-28.....	12	10 (3.7E 11)	Palladium-107.....	46	100 (3.7E 12)	Radium-226Φ.....	88	0.1 (3.7E 9)
Manganese-51.....	25	1000 (3.7E 13)	Palladium-109.....	46	1000 (3.7E 13)	Radium-227.....	88	1000 (3.7E 13)
Manganese-52m.....	25	1000 (3.7E 13)	Phosphorus-32.....	15	0.1 (3.7E 9)	Radium-228.....	88	0.1 (3.7E 9)
Manganese-52.....	25	10 (3.7E 11)				Radon-220.....	86	0.1 (3.7E 9)
Manganese-53.....	25	1000 (3.7E 13)				Radon-222.....	86	0.1 (3.7E 9)
Manganese-54.....	25	10 (3.7E 11)						

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic number	Final RQ Ci (Bq)
Rhenium-177	75	1000 (3.7E 13)
Rhenium-178	75	1000 (3.7E 13)
Rhenium-181	75	100 (3.7E 12)
Rhenium-182 (12.7 hr)	75	10 (3.7E 11)
Rhenium-182 (64.0 hr)	75	10 (3.7E 11)
Rhenium-184m	75	10 (3.7E 11)
Rhenium-184	75	10 (3.7E 11)
Rhenium-186m	75	10 (3.7E 11)
Rhenium-186	75	100 (3.7E 12)
Rhenium-187	75	1000 (3.7E 13)
Rhenium-188m	75	1000 (3.7E 13)
Rhenium-188	75	1000 (3.7E 13)
Rhenium-189	75	1000 (3.7E 13)
Rhodium-99m	45	100 (3.7E 12)
Rhodium-99	45	10 (3.7E 11)
Rhodium-100	45	10 (3.7E 11)
Rhodium-101m	45	100 (3.7E 12)
Rhodium-101	45	10 (3.7E 11)
Rhodium-102m	45	10 (3.7E 11)
Rhodium-102	45	10 (3.7E 11)
Rhodium-103m	45	1000 (3.7E 13)
Rhodium-105	45	100 (3.7E 12)
Rhodium-106m	45	10 (3.7E 11)
Rhodium-107	45	1000 (3.7E 13)
Rubidium-79	37	1000 (3.7E 13)
Rubidium-81m	37	1000 (3.7E 13)
Rubidium-81	37	100 (3.7E 12)
Rubidium-82m	37	10 (3.7E 11)
Rubidium-83	37	10 (3.7E 11)
Rubidium-84	37	10 (3.7E 11)
Rubidium-86	37	10 (3.7E 11)
Rubidium-88	37	1000 (3.7E 13)
Rubidium-89	37	1000 (3.7E 13)
Rubidium-87	37	10 (3.7E 11)
Ruthenium-94	44	1000 (3.7E 13)
Ruthenium-97	44	100 (3.7E 12)
Ruthenium-103	44	10 (3.7E 11)
Ruthenium-105	44	100 (3.7E 12)
Ruthenium-106	44	1 (3.7E 10)
Samarium-141m	62	1000 (3.7E 13)
Samarium-141	62	1000 (3.7E 13)
Samarium-142	62	1000 (3.7E 13)
Samarium-145	62	100 (3.7E 12)
Samarium-146	62	0.01 (3.7E 8)
Samarium-147	62	0.01 (3.7E 8)
Samarium-151	62	10 (3.7E 11)
Samarium-153	62	100 (3.7E 12)
Samarium-155	62	1000 (3.7E 13)
Samarium-156	62	100 (3.7E 12)
Scandium-43	21	1000 (3.7E 13)
Scandium-44m	21	10 (3.7E 11)
Scandium-44	21	100 (3.7E 12)
Scandium-46	21	10 (3.7E 11)
Scandium-47	21	100 (3.7E 12)
Scandium-48	21	10 (3.7E 11)
Scandium-49	21	1000 (3.7E 13)
Selenium-70	34	1000 (3.7E 13)
Selenium-73m	34	100 (3.7E 12)
Selenium-73	34	10 (3.7E 11)
Selenium-75	34	10 (3.7E 11)
Selenium-79	34	10 (3.7E 11)
Selenium-81m	34	1000 (3.7E 13)
Selenium-81	34	1000 (3.7E 13)
Selenium-83	34	1000 (3.7E 13)
Silicon-31	14	1000 (3.7E 13)
Silicon-32	14	1 (3.7E 10)
Silver-102	47	100 (3.7E 12)
Silver-103	47	1000 (3.7E 13)
Silver-104m	47	1000 (3.7E 13)

APPENDIX B—RADIONUCLIDES

Radionuclide	Atomic number	Final RQ Ci (Bq)
Silver-104	47	1000 (3.7E 13)
Silver-105	47	10 (3.7E 11)
Silver-106m	47	10 (3.7E 11)
Silver-106	47	1000 (3.7E 13)
Silver-108m	47	10 (3.7E 11)
Silver-110m	47	10 (3.7E 11)
Silver-111	47	10 (3.7E 11)
Silver-112	47	100 (3.7E 12)
Silver-115	47	1000 (3.7E 13)
Sodium-22	11	10 (3.7E 11)
Sodium-24	11	10 (3.7E 11)
Strontium-80	38	100 (3.7E 12)
Strontium-81	38	1000 (3.7E 13)
Strontium-83	38	100 (3.7E 12)
Strontium-85m	38	1000 (3.7E 13)
Strontium-85	38	10 (3.7E 11)
Strontium-87m	38	100 (3.7E 12)
Strontium-89	38	10 (3.7E 11)
Strontium-90	38	0.1 (3.7E 9)
Strontium-91	38	10 (3.7E 11)
Strontium-92	38	100 (3.7E 12)
Sulfur-35	16	1 (3.7E 10)
Tantalum-172	73	100 (3.7E 12)
Tantalum-173	73	100 (3.7E 12)
Tantalum-174	73	100 (3.7E 12)
Tantalum-175	73	100 (3.7E 12)
Tantalum-176	73	10 (3.7E 11)
Tantalum-177	73	1000 (3.7E 13)
Tantalum-178	73	1000 (3.7E 13)
Tantalum-179	73	1000 (3.7E 13)
Tantalum-180m	73	1000 (3.7E 13)
Tantalum-180	73	100 (3.7E 12)
Tantalum-182m	73	1000 (3.7E 13)
Tantalum-182	73	10 (3.7E 11)
Tantalum-183	73	100 (3.7E 12)
Tantalum-184	73	10 (3.7E 11)
Tantalum-185	73	1000 (3.7E 13)
Tantalum-186	73	1000 (3.7E 13)
Technetium-93m	43	1000 (3.7E 13)
Technetium-93	43	100 (3.7E 12)
Technetium-94m	43	100 (3.7E 12)
Technetium-94	43	10 (3.7E 11)
Technetium-96m	43	1000 (3.7E 13)
Technetium-96	43	10 (3.7E 11)
Technetium-97m	43	100 (3.7E 12)
Technetium-97	43	100 (3.7E 12)
Technetium-98	43	10 (3.7E 11)
Technetium-99m	43	100 (3.7E 12)
Technetium-99	43	10 (3.7E 11)
Technetium-101	43	1000 (3.7E 13)
Technetium-104	43	1000 (3.7E 13)
Tellurium-116	52	1000 (3.7E 13)
Tellurium-121m	52	10 (3.7E 11)
Tellurium-121	52	10 (3.7E 11)
Tellurium-123m	52	10 (3.7E 11)
Tellurium-123	52	10 (3.7E 11)
Tellurium-125m	52	10 (3.7E 11)
Tellurium-127m	52	10 (3.7E 11)
Tellurium-127	52	1000 (3.7E 13)
Tellurium-129m	52	10 (3.7E 11)
Tellurium-129	52	1000 (3.7E 13)
Tellurium-131m	52	10 (3.7E 11)
Tellurium-131	52	1000 (3.7E 13)
Tellurium-132	52	10 (3.7E 11)
Tellurium-133m	52	1000 (3.7E 13)
Tellurium-133	52	1000 (3.7E 13)
Tellurium-134	52	1000 (3.7E 13)
Terbium-147	65	100 (3.7E 12)
Terbium-149	65	100 (3.7E 12)
Terbium-150	65	100 (3.7E 12)
Terbium-151	65	10 (3.7E 11)
Terbium-153	65	100 (3.7E 12)
Terbium-154	65	10 (3.7E 11)
Terbium-155	65	100 (3.7E 12)
Terbium-156m (5.0 hr)	65	1000 (3.7E 13)

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic number	Final RQ Ci (Bq)
Terbium-156m (24.4 hr)	65	1000 (3.7E 13)
Terbium-156	65	10 (3.7E 11)
Terbium-157	65	100 (3.7E 12)
Terbium-158	65	10 (3.7E 11)
Terbium-160	65	10 (3.7E 11)
Terbium-161	65	100 (3.7E 12)
Thallium-194m	81	100 (3.7E 12)
Thallium-194	81	1000 (3.7E 13)
Thallium-195	81	100 (3.7E 12)
Thallium-197	81	100 (3.7E 12)
Thallium-198m	81	100 (3.7E 12)
Thallium-198	81	10 (3.7E 11)
Thallium-199	81	100 (3.7E 12)
Thallium-200	81	10 (3.7E 11)
Thallium-201	81	1000 (3.7E 13)
Thallium-202	81	10 (3.7E 11)
Thallium-204	81	10 (3.7E 11)
Thorium-226	90	100 (3.7E 12)
Thorium-227	90	1 (3.7E 10)
Thorium-228	90	0.01 (3.7E 8)
Thorium-229	90	0.001 (3.7E 7)
Thorium-230	90	0.01 (3.7E 8)
Thorium-231	90	100 (3.7E 12)
Thorium-232φ	90	0.001 (3.7E 7)
Thorium-234	90	100 (3.7E 12)
Thulium-162	69	1000 (3.7E 13)
Thulium-166	69	10 (3.7E 11)
Thulium-167	69	100 (3.7E 12)
Thulium-170	69	10 (3.7E 11)
Thulium-171	69	100 (3.7E 12)
Thulium-172	69	100 (3.7E 12)
Thulium-173	69	100 (3.7E 12)
Thulium-175	69	1000 (3.7E 13)
Tin-110	50	100 (3.7E 12)
Tin-111	50	1000 (3.7E 13)
Tin-113	50	10 (3.7E 11)
Tin-117m	50	100 (3.7E 12)
Tin-119m	50	10 (3.7E 11)
Tin-121m	50	10 (3.7E 11)
Tin-121	50	1000 (3.7E 13)
Tin-123m	50	1000 (3.7E 13)
Tin-123	50	10 (3.7E 11)
Tin-125	50	10 (3.7E 11)
Tin-126	50	1 (3.7E 10)
Tin-127	50	100 (3.7E 12)
Tin-128	50	1000 (3.7E 13)
Titanium-44	22	1 (3.7E 10)
Titanium-45	22	1000 (3.7E 13)
Tungsten-176	74	1000 (3.7E 13)
Tungsten-177	74	100 (3.7E 12)
Tungsten-178	74	100 (3.7E 12)
Tungsten-179	74	1000 (3.7E 13)
Tungsten-181	74	100 (3.7E 12)
Tungsten-185	74	10 (3.7E 11)
Tungsten-187	74	100 (3.7E 12)
Tungsten-188	74	10 (3.7E 11)
Uranium-230	92	1 (3.7E 10)
Uranium-231	92	1000 (3.7E 13)
Uranium-232	92	0.01 (3.7E 8)
Uranium-233	92	0.1 (3.7E 9)
Uranium-234φ	92	0.1 (3.7E 9)
Uranium-235φ	92	0.1 (3.7E 9)
Uranium-236	92	0.1 (3.7E 9)
Uranium-237	92	100 (3.7E 12)
Uranium-238φ	92	0.1 & (3.7E 9)
Uranium-239	92	1000 (3.7E 13)
Uranium-240	92	1000 (3.7E 13)
Vanadium-47	23	1000 (3.7E 13)
Vanadium-48	23	10 (3.7E 11)
Vanadium-49	23	1000 (3.7E 13)
Xenon-120	54	100 (3.7E 12)
Xenon-121	54	10 (3.7E 11)

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic Number	Final RQ Ci (Bq)
Xenon-122	54	100 (3.7E 12)
Xenon-123	54	10 (3.7E 11)
Xenon-125	54	100 (3.7E 12)
Xenon-127	54	100 (3.7E 12)
Xenon-129m	54	1000 (3.7E 13)
Xenon-131m	54	1000 (3.7E 13)
Xenon-133m	54	1000 (3.7E 13)
Xenon-133	54	1000 (3.7E 13)
Xenon-135m	54	10 (3.7E 11)
Xenon-135	54	100 (3.7E 12)
Xenon-138	54	10 (3.7E 11)
Ytterbium-162	70	1000 (3.7E 13)
Ytterbium-166	70	10 (3.7E 11)
Ytterbium-167	70	1000 (3.7E 13)
Ytterbium-169	70	10 (3.7E 11)
Ytterbium-175	70	100 (3.7E 12)
Ytterbium-177	70	1000 (3.7E 13)
Ytterbium-178	70	1000 (3.7E 13)
Yttrium-86m	39	1000 (3.7E 13)
Yttrium-86	39	10 (3.7E 11)
Yttrium-87	39	10 (3.7E 11)
Yttrium-88	39	10 (3.7E 11)
Yttrium-90m	39	100 (3.7E 12)
Yttrium-90	39	10 (3.7E 11)
Yttrium-91m	39	1000 (3.7E 13)
Yttrium-91	39	10 (3.7E 11)

APPENDIX B—RADIONUCLIDES—
Continued

Radionuclide	Atomic Number	Final RQ Ci (Bq)
Yttrium-92	39	100 (3.7E 12)
Yttrium-93	39	100 (3.7E 12)
Yttrium-94	39	1000 (3.7E 13)
Yttrium-95	39	1000 (3.7E 13)
Zinc-62	30	100 (3.7E 12)
Zinc-63	30	1000 (3.7E 13)
Zinc-65	30	10 (3.7E 11)
Zinc-69m	30	100 (3.7E 12)
Zinc-69	30	1000 (3.7E 13)
Zinc-71m	30	100 (3.7E 12)
Zinc-72	30	100 (3.7E 12)
Zirconium-86	40	100 (3.7E 12)
Zirconium-88	40	10 (3.7E 11)
Zirconium-89	40	100 (3.7E 12)
Zirconium-93	40	1 (3.7E 10)
Zirconium-95	40	10 (3.7E 11)
Zirconium-97	40	10 (3.7E 11)

Ci—Curie. The curie represents a rate of radioactive decay. One curie is the quantity of any radioactive nuclide which undergoes 3.7E 10 disintegrations per second.

Bq—Becquerel. The becquerel represents a rate of radioactive decay. One becquerel is the quantity of any radioactive nuclide which undergoes one disintegration per second. One curie is equal to 3.7E 10 becquerel.

*—Final RQs for all radionuclides apply to chemical compounds containing the radionuclides and elemental forms regardless of the diameter of pieces of solid material.

&—The adjusted RQ of one curie applies to all radionuclides not otherwise listed. Whenever the RQs in Table 302.4 and this appendix to the table are in conflict, the lowest RQ shall apply. For example, uranyl acetate and uranyl nitrate have adjusted RQs shown in Table 302.4 of 100 pounds, equivalent to about one-tenth the RQ level for uranium-238 listed in this appendix.

E—Exponent to the base 10. For example, 1.3E 2 is equal to 130 while 1.3E 3 is equal to 1300.

m—Signifies a nuclear isomer which is a radionuclide in a higher energy metastable state relative to the parent isotope.

φ—Notification requirements for releases of mixtures or solutions of radionuclides can be found in Section 302.6(b) of this rule. Final RQs for the following four common radionuclide mixtures are provided: radium-226 in secular equilibrium with its daughters (0.053 curie); natural uranium (0.1 curie); natural uranium in secular equilibrium with its daughters (0.052 curie); and natural thorium in secular equilibrium with its daughters (0.011 curie).

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**ENVIRONMENTAL PROTECTION
AGENCY****40 CFR Part 355****[FRL-3574-2]****Reportable Quantity Adjustment—
Radionuclides****AGENCY:** U.S. Environmental Protection Agency (EPA).**ACTION:** Technical amendment.

SUMMARY: Sections 103(a) and 103(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, require that persons in charge of vessels or facilities from which a hazardous substance has been released within a 24-hour period in a quantity equal to or greater than its reportable quantity immediately notify the National Response Center of the release. As discussed elsewhere in today's *Federal Register*, the U.S. Environmental Protection Agency (EPA) has decided to exempt from CERCLA notification requirements the following four categories of releases of radionuclides: (1) Releases of radionuclides that occur naturally in soil from land holdings such as parks, golf courses, or other large tracts of land; (2) releases of radionuclides occurring naturally from the disturbance of land for purposes other than mining, such as for agricultural or construction activities; (3) releases of radionuclides from the dumping of coal and coal ash at utility and industrial facilities with coal-fired boilers; and (4) releases of radionuclides from coal and coal ash piles at utility and industrial facilities with coal-fired boilers. These releases also are exempt from the reporting requirements of section 304 of the Emergency Planning and Community Right to Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA). Under SARA Section 304(a)(3), releases

of radionuclides must be reported to the community emergency coordinator for the Local Emergency Planning Committee (LEPC) and to the State Emergency Response Commission (SERC) of any State that is likely to be affected by the release, if the release occurs at a facility at which a hazardous chemical is produced, used, or stored, and if notification of the release is required under section 103(a) of CERCLA. Because of today's exemptions of certain radionuclide releases from CERCLA notification requirements, as described above, such exempted releases also are exempt from the reporting requirements of section 304 of SARA.

This Technical Amendment also adds language to 40 CFR 355.40(a)(2) that was inadvertently deleted in publishing the final rule adjusting Threshold Planning Quantities for Extremely Hazardous Substances (52 FR 13396; April 22, 1987). This amendment adds paragraph 355.40(a)(2)(iv) that provides that releases exempted from CERCLA section 103(a) reporting by CERCLA section 103(e) (which applies to the application, handling, or storage of a pesticide registered under the Federal Insecticide, Fungicide, and Rodenticide Act) also are exempt from reporting under SARA section 304. In addition, this Technical Amendment clarifies the language in paragraph (a)(2)(v). Section 355.40(a)(2)(v) exempts from section 304 reporting any occurrence not meeting the definition of release under section 101(22) of CERCLA. Such occurrences are also exempt from reporting under CERCLA Section 103(a).

EFFECTIVE DATE: July 24, 1989.

FOR FURTHER INFORMATION CONTACT: Ms. Pamela Harris, Project Officer, Response Standards and Criteria Branch, Emergency Response Division (WH-548B), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, or the RCRA/Superfund Hotline, 1-800/424-9346; in

Washington DC metropolitan area, 1-202/382-3000.

Dated: May 11, 1989.

Jonathan Z. Cannon,
Acting Assistant Administrator.

For the reasons set forth above, Title 40 of the Code of Federal Regulations is amended as follows:

**PART 355—EMERGENCY PLANNING
AND NOTIFICATION**

1. The authority citation for Part 355 is revised to read as follows:

Authority: 42 U.S.C. 11002 and 11048.

2. Section 355.40 is amended by adding paragraphs (a)(2)(v) and (a)(2)(vi), and by revising paragraph (a)(2)(iv) to read as follows ((a)(2) introductory text is republished):

§ 355.40 Emergency release notification.

(a) Applicability.

(1) * * *

(2) This section does not apply to:

* * *

(iv) Any release of a pesticide product exempt from CERCLA section 103(a) reporting under section 103(e) of CERCLA;

(v) Any release not meeting the definition of release under Section 101(22) of CERCLA, and therefore exempt from Section 103(a) reporting; and

(vi) Any radionuclide release which occurs (A) naturally in soil from land holdings such as parks, golf courses, or other large tracts of land; (B) naturally from the disturbance of land for purposes other than mining, such as for agricultural or construction activities; (C) from the dumping of coal and coal ash at utility and industrial facilities with coal-fired boilers; and (D) from coal and coal ash piles at utility and industrial facilities with coal-fired boilers.

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