

is also anticipated that the money saved due to reduced operating expenses will trickle into other sectors of the economy, thereby stimulating economic growth.

- 5. Self-employment opportunities:
None that the Department is aware of at this time.

¹ Alliance of Automobile Manufacturers: The Auto Industry in New York.

Department of Health

NOTICE OF CONTINUATION NO HEARING(S) SCHEDULED

Syracuse Watershed Rules and Regulations

I.D. No. HLT-48-04-00012-C

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE of continuation is hereby given:

The notice of proposed rule making, I.D. No. HLT-48-04-00012-P was published in the *State Register* on December 1, 2004.

Subject: Minor amendments to the Syracuse Watershed Rules and Regulations.

Purpose: To correct clerical and typographic errors.

Substance of rule: The proposed amendments to Section 131.1 of Part 131 of Title 10 of the Official Compilation of Codes, Rules and Regulations of the State of New York merely correct clerical and typographic errors in the regulation. Because these amendments do not impose any burden on any party that exceeds or expands statutory requirements, a consensus regulatory adoption has been proposed.

Changes to rule: No substantive changes.

Expiration date: December 1, 2005.

Text of proposed rule and changes, if any, may be obtained from: William Johnson, Department of Health, Division of Legal Affairs, Office of Regulatory Reform, Corning Tower, Rm. 2415, Empire State Plaza, Albany, NY 12237, (518) 473-7488, fax: (518) 486-4834, e-mail: regsqna@health.state.ny.us

Data, views or arguments may be submitted to: Same as above.

Office of Homeland Security

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

List of Hazardous and Toxic Chemicals

I.D. No. HLS-21-05-00005-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed action: Addition of Part 10000 to Title 9 NYCRR.

Statutory authority: Executive Law, section 714

Subject: List of hazardous and toxic chemicals.

Purpose: To comply with requirement of Executive Law, section 714.

Text of proposed rule: Part 10000

Protection of Critical Infrastructure

The New York State Office of Homeland Security (Office) is creating a new Part 10000, subpart 10000-1 and 10000-2 to satisfy provisions of Executive Law, Section 714.

Subpart 10000-1

Storage Facilities for Hazardous Substances

Consistent with provisions of Executive Law, Section 714, the Office has developed a list of toxic or hazardous substances based upon the severity of the threat posed to the public by the unauthorized release of

such substances. For the purposes of this rule, unauthorized release means theft, release to the air or release to a potable water source.

Subpart 10000-2

List of Toxic or Hazardous Substances

The following list of toxic or hazardous substances has been developed as required under provisions of Executive Law, Section 714. The list, in and of itself, does not place a requirement on any facility in New York State that stores such chemicals to undertake any specific action.

CAS RN	Chemical Name
	*Ammonium nitrate explosive mixtures (non-cap sensitive)
	*ANFO
	*Blasting agents, nitro-carbo-nitrates, including non-cap sensitive slurry and water gel explosives
540-73-8	1,2 Dimethyl hydrazine
75-07-0	Acetaldehyde
75-86-5	Acetone cyanohydrin
74-86-2	Acetylene
	Acetylides of heavy metals
107-02-8	Acrolein
80-63-7	Acrylic acid, 2-chloro-, methyl ester
107-13-1	Acrylonitrile
814-68-6	Acrylyl chloride
578-94-9	Adamsite
111-69-3	Adiponitrile
329-99-7	Agent GF
309-00-2	Aldrin
107-18-6	Allyl alcohol
107-11-9	Allylamine
	Aluminum containing polymeric propellant
	Aluminum ophorite explosive
	Amatex
8006-19-7	Amatol
78-53-5	Amiton
3734-97-2	Amiton oxalate
	Ammonal
7664-41-7	Ammonia
7803-55-6	Ammonium metavanadate
6484-52-2	Ammonium Nitrate
	Ammonium nitrate explosive mixtures (cap sensitive)
	Ammonium perchlorate composite propellant
	Ammonium perchlorate explosive mixtures
	Ammonium perchlorate having particle size less than 15 microns
131-74-8	Ammonium Picrate
	Ammonium salt lattice with isomorphously substituted inorganic salts
86-88-4	Antu
	Aromatic nitro-compound explosive mixtures
7778-39-4	Arsenic acid
1303-28-2	Arsenic pentoxide
1327-53-3	Arsenic trioxide
7784-34-1	Arsenous trichloride
7784-42-1	Arsine
	Azide explosives
2642-71-9	Azinphos-ethyl
86-50-0	Azinphos-methyl
	Baranol
	Baratol
18810-58-7	Barium Azide
112-56-1	b-Butoxy-b'-thiocyano diethyl ether
	BEAF
98-16-8	Benzenamine, 3-(trifluoromethyl)
98-09-9	Benzenesulfonyl chloride
100-44-7	Benzyl chloride
140-29-4	Benzyl cyanide
15271-41-7	Bicyclo[2.2.1]heptane-2-carbonitrile, 5 chloro...
1464-53-5	Bioxirane, 2,2'-
4301-50-2	Biphenylacetic acid, 2-fluoroethyl ester, 4-
142868-93-7	Bis(2-chloroethylthio)-n-butane, 1,4-
142868-94-8	Bis(2-chloroethylthio)-n-pentane, 1,5-
63905-10-2	Bis(2-chloroethylthio)-n-propane, 1,3-
63918-90-1	Bis(2-chloroethylthiomethyl)ether
542-88-1	Bis(chloromethyl) ether
4044-65-9	Bitoscanate

	<i>Black powder</i>	1445-76-7	<i>Chlorosarin</i>
	<i>Black powder based explosive mixtures</i>	7040-57-5	<i>Chlorosoman</i>
	<i>Blasting caps</i>	21923-23-9	<i>Chlorthiophos</i>
	<i>Blasting gelatin</i>	67-97-0	<i>Cholecalciferol</i>
	<i>Blasting powder</i>	156-60-5	<i>cis & trans 1,2 dichloroethylene</i>
122-10-1	<i>Bomyl</i>	156-59-2	<i>cis-1,2 dichloroethylene</i>
10294-34-5	<i>Boron trichloride</i>	62207-76-5	<i>Cobalt</i>
7637-07-2	<i>Boron trifluoride</i>		<i>Composition A and variations</i>
353-42-4	<i>Boron trifluoride compound with methyl ether (1:1)</i>		<i>Composition B and variations</i>
7726-95-6	<i>Bromine</i>		<i>Composition C and variations</i>
598-73-2	<i>Bromotrifluoroethylene</i>		<i>compound explosive</i>
357-57-3	<i>Brucine</i>	12540-13-5	<i>Copper acetylide</i>
	<i>BTNEC</i>	12002-03-8	<i>Copper, bis (acetato)hexametaarsenitotetra-</i>
	<i>BTNEN</i>	56-72-4	<i>Coumaphos</i>
6659-60-5	<i>BTTN</i>	5836-29-3	<i>Coumarin, 4-hydroxy - 3 (1,2,3,4-tetrahydro-1-naphthyl)-</i>
	<i>Bulk salutes</i>		<i>Cresol, 6,6'-thiobis(4-chloro-o-</i>
106-99-0	<i>Butadiene, 1,3-</i>	4418-66-0	<i>Crimidine</i>
78-79-5	<i>Butadiene, 2-methyl-, 1,3-</i>	535-89-7	<i>Crotonaldehyde</i>
106-97-8	<i>Butane</i>	4170-30-3	<i>Cupric sulfate, ammoniated</i>
78-78-4	<i>Butane, 2-methyl-</i>	10380-29-7	<i>Cyanogen</i>
1338-23-4	<i>Butanone peroxide, 2-</i>	460-19-5	<i>Cyanogen chloride</i>
689-97-4	<i>Buten-3-yne, 1-</i>	506-77-4	<i>Cyanophos</i>
123-73-9	<i>Butenal, (e)-2-</i>	2636-26-2	<i>Cyanuric fluoride</i>
25167-67-3	<i>Butene</i>	675-14-9	<i>Cyanuric triazine</i>
624-64-6	<i>Butene, (E)-2-</i>		<i>Cyclohexanamine</i>
106-98-9	<i>Butene, 1-</i>	108-91-8	<i>Cycloheximide</i>
110-57-6	<i>Butene, 1,4-dichloro-, (e)-2-</i>	66-81-9	<i>Cyclohexane</i>
107-01-7	<i>Butene, 2-</i>	75-19-4	<i>Cyclopropane</i>
590-18-1	<i>Butene-cis,2-</i>	2691-41-0	<i>Cyclotetramethylenetetranitramine</i>
	<i>Butyl tetryl</i>		<i>Cyclotol</i>
3037-72-7	<i>Butylamine, 4-(diethoxymethylsilyl)-</i>		<i>DATB</i>
107-00-6	<i>Butyne, 1-</i>	17702-41-9	<i>Decaborane</i>
6581-06-2	<i>BZ</i>		<i>DEGDN</i>
1306-19-0	<i>Cadmium oxide</i>	8065-48-3	<i>Demeton</i>
2223-93-0	<i>Cadmium stearate</i>	919-86-8	<i>Demeton-s-methyl</i>
7778-44-1	<i>Calcium arsenate</i>		<i>Detonating cord</i>
52740-16-6	<i>Calcium arsenite</i>		<i>Detonators</i>
592-01-8	<i>Calcium cyanide</i>	676-99-3	<i>DF</i>
	<i>Calcium nitrate explosive mixture</i>	10311-84-9	<i>Dialifos</i>
8001-35-2	<i>Camphene, octachloro-</i>	302-01-2	<i>Diamine</i>
51-83-2	<i>Carbachol chloride</i>	87-31-0	<i>Diazodinitrophenol</i>
26419-73-8	<i>Carbamic acid</i>	334-88-3	<i>Diazomethane</i>
644-64-4	<i>Carbamic acid, dimethyl-, 1-((dimethylamino) carbonyl)-5-methyl-1h-pyrazol-3-yl ester</i>	19287-45-7	<i>Diborane</i>
119-38-0	<i>Carbamic acid, dimethyl-, 1-isopropyl-3-methylpyrazol-5-yl ester</i>	96-12-8	<i>Dibromo-3-chloropropane, 1,2-</i>
23422-53-9	<i>Carbamic acid, methyl-ester with n'-(m-hydroxyphenyl)- n,n-dimethylformamidine, hydrochloride</i>	79-36-7	<i>Dichloroacetyl chloride</i>
17702-57-7	<i>Carbamic acid, methyl-,4-(((dimethylamino) methylene)amino)-m-tolyl ester</i>	27137-85-5	<i>Dichlorophenyl trichlorosilane</i>
1563-66-2	<i>Carbofuran</i>	4109-96-0	<i>Dichlorosilane</i>
75-15-0	<i>Carbon disulfide</i>	62-73-7	<i>Dichlorvos</i>
353-50-4	<i>Carbon oxyfluoride</i>	141-66-2	<i>Dicrotophos</i>
108-23-6	<i>Carbonochloridic acid, 1-methylethyl ester</i>	60-57-1	<i>Dieldrin</i>
109-61-5	<i>Carbonochloridic acid, propylester</i>	814-49-3	<i>Diethyl chlorophosphate</i>
786-19-6	<i>Carbonphenothion</i>	762-04-9	<i>Diethyl phosphite</i>
463-58-1	<i>Carbonyl sulfide</i>	1642-54-2	<i>Diethylcarbamazine citrate</i>
	<i>Cellulose hexanitrate explosive mixture</i>		<i>Diethyleneglycol dinitrate, desensitized</i>
470-90-6	<i>Chlorate explosive mixtures</i>	75-37-6	<i>Difluoroethane</i>
7782-50-5	<i>Chlorfenvinfos</i>	115-26-4	<i>Dimefox</i>
10049-04-4	<i>Chlorine</i>	756-79-6	<i>Dimethyl methylphosphonate</i>
7791-21-1	<i>Chlorine dioxide</i>	868-85-9	<i>Dimethyl phosphite</i>
24934-91-6	<i>Chlorine monoxide</i>	124-40-3	<i>Dimethylamine</i>
107-20-0	<i>Chlormephos</i>	75-78-5	<i>Dimethyldichlorosilane</i>
75-00-3	<i>Chloroacetaldehyde</i>	57-14-7	<i>Dimethylhydrazine, 1,1-</i>
107-07-3	<i>Chloroethane</i>	62-75-9	<i>Dimethylnitrosamine</i>
67-66-3	<i>Chloroethanol</i>	463-82-1	<i>Dimethylol dimethyl methane dinitrate composition</i>
74-87-3	<i>Chloroform</i>		<i>Dimethylpropane, 2,2-</i>
107-30-2	<i>Chloromethane</i>		<i>Dinitroethyleneurea</i>
3691-35-8	<i>Chloromethyl methyl ether</i>	534-52-1	<i>Dinitroglycerine</i>
76-06-2	<i>Chlorophacinone</i>	25550-58-7	<i>Dinitroglycoluril</i>
590-21-6	<i>Chloropicrin</i>		<i>Dinitro-o-cresol, 4,6-</i>
557-98-2	<i>Chloropropylene, 1-</i>		<i>Dinitrophenol</i>
	<i>Chloropropylene, 2-</i>	35860-51-6	<i>Dinitrophenolates</i>
		25550-55-4	<i>Dinitrophenyl hydrazine</i>
			<i>Dinitroresorcinol</i>
		4097-36-3	<i>Dinitrosobenzene</i>
			<i>Dinitrotoluene-sodium nitrate explosive mixtures</i>
			<i>Dinoseb</i>

78-34-2	<i>Dioxathion</i>	50-00-0	<i>Formaldehyde</i>
1746-01-6	<i>Dioxin</i>	107-16-4	<i>Formaldehyde cyanohydrin</i>
	<i>DIPAM</i>	64-18-6	<i>Formic acid</i>
82-66-6	<i>Diphacinone</i>	107-31-3	<i>Formic acid, methyl ester</i>
712-48-1	<i>Diphenyl dichloroarsine</i>	21548-32-3	<i>Fosthietan</i>
76-93-7	<i>Diphenyl-2-hydroxyacetic acid, 2,2-</i>		<i>Fulminate of mercury</i>
2217-06-3	<i>Dipicryl sulfide</i>		<i>Fulminate of silver</i>
	<i>Dipicryl sulfone</i>		<i>Fulminating gold</i>
	<i>Display fireworks</i>		<i>Fulminating mercury</i>
298-04-4	<i>Disulfoton</i>		<i>Fulminating platinum</i>
950-10-7	<i>Dithiolane, 2-(diethoxy-phosphinylimino)-4-methyl-, 1,3-</i>	110-00-9	<i>Fulminating silver</i>
	<i>DNPA</i>		<i>Furan</i>
	<i>DNPD</i>		<i>Gelatinized nitrocellulose</i>
88-85-7	<i>Dynamite</i>		<i>Gem-dinitro aliphatic explosive mixtures</i>
	<i>EDDN</i>		<i>Guanyl nitrosamino guanyl tetrazene</i>
	<i>EDNA</i>		<i>Guanyl nitrosamino guanylidene</i>
	<i>Ednatol</i>	14097-21-3	<i>Guanyl nitrosaminoguanilyltetrazene</i>
	<i>EDNP</i>		<i>Heavy metal azides</i>
115-29-7	<i>Endosulfan (all isomers)</i>	76-44-8	<i>Heptachlor</i>
2778-04-3	<i>Endothion</i>	465-73-6	<i>Hexachlorohexahydro-endo, endo-di methanonaphthalene</i>
72-20-8	<i>Endrin</i>		<i>Hexaethyl tetraphosphate</i>
106-89-8	<i>Epichlorohydrin</i>	757-58-4	<i>Hexamethylenediamine</i>
2104-64-5	<i>EPN</i>	4835-11-4	<i>Hexanite</i>
	<i>Erythritol tetranitrate explosives</i>		<i>Hexanitrodiphenylamine</i>
	<i>Esters of nitro-substituted alcohols</i>	131-73-7	<i>Hexanitrostilbene</i>
75-04-7	<i>Ethanamine</i>	20062-22-0	<i>Hexogene or octogene and a nitrated Nmethylaniline</i>
74-84-0	<i>Ethane</i>		<i>Hexolite</i>
60-29-7	<i>Ethane, 1,1'-oxybis-</i>	121-82-4	<i>Hexotonal</i>
107-15-3	<i>Ethanediamine, 1,2-</i>		<i>HMTD</i>
75-08-1	<i>Ethanethiol</i>		<i>Hydrazinium nitrate/aluminum explosive system</i>
75-38-7	<i>Ethene, 1,1-difluoro-</i>		<i>Hydrazoic acid</i>
79-38-9	<i>Ethene, chlorotrifluoro-</i>	7782-79-8	<i>Hydrochloric acid</i>
109-92-2	<i>Ethene, ethoxy-</i>	7647-01-0	<i>Hydrogen</i>
75-02-5	<i>Ethene, fluoro-</i>	1333-74-0	<i>Hydrogen bromide</i>
107-25-5	<i>Ethene, methoxy-</i>	10035-10-6	<i>Hydrogen cyanide</i>
116-14-3	<i>Ethene, tetrafluoro-</i>	74-90-8	<i>Hydrogen fluoride</i>
563-12-2	<i>Ethion</i>	7664-96-9	<i>Hydrogen Iodide</i>
13194-48-4	<i>Ethoprophos</i>	10034-85-2	<i>Hydrogen peroxide (Conc. > 52%)</i>
109-95-5	<i>Ethyl nitrite</i>	7722-84-1	<i>Hydrogen selenide</i>
598-14-1	<i>Ethyl dichloroarsine</i>	7783-07-5	<i>Hydrogen sulfide</i>
139-87-7	<i>Ethyl diethanolamine</i>	7783-06-4	<i>Igniter cord</i>
74-85-1	<i>Ethylene</i>		<i>Igniters</i>
371-62-0	<i>Ethylene fluorohydrin</i>		<i>Imidocarbonic acid phosphonodithio-cyclic ethylene p, p-diethyl ester</i>
75-21-8	<i>Ethylene oxide</i>	947-02-4	<i>Initiating tube systems</i>
151-56-4	<i>Ethyleneimine</i>		<i>Iron, carbonyl-</i>
	<i>Ethyl-tetryl</i>		<i>Isobenzan</i>
	<i>Explosive conitrates</i>	13463-40-6	<i>Isobutane</i>
	<i>Explosive gelatins</i>	297-78-9	<i>Isobutyronitrile</i>
	<i>explosive gels</i>	75-28-5	<i>Isocyanic acid, methylene (3,5,5-trimethyl-3,1-cyclohexylene) ester</i>
	<i>Explosive liquids</i>	78-82-0	<i>Isopropyl chloride</i>
	<i>Explosive mixtures containing oxygen releasing inorganic salts and hydrocarbons</i>	4098-71-9	<i>Isopropylamine</i>
	<i>Explosive mixtures containing oxygen releasing inorganic salts and nitro bodies</i>	75-29-6	<i>Isoxazolone, 5-(aminomethyl)-, 3(2h)-</i>
	<i>Explosive mixtures containing oxygen releasing inorganic salts and water insoluble fuels</i>	75-31-0	<i>Jet fuels (JP-5 & JP-8)</i>
	<i>Explosive mixtures containing oxygen releasing inorganic salts and water insoluble fuels</i>	2763-96-4	<i>KDNBF</i>
	<i>Explosive mixtures containing oxygen releasing inorganic salts and water insoluble fuels</i>	70892-10-3	<i>Lead azide, wetted</i>
	<i>Explosive mixtures containing sensitized nitromethane</i>		<i>Lead mannite</i>
	<i>Explosive mixtures containing tetranitromethane (nitroform)</i>		<i>Lead mononitrosorcinic acid</i>
	<i>Explosive nitro compounds of aromatic hydrocarbons</i>		<i>Lead picrate</i>
	<i>Explosive organic nitrate mixtures</i>	15245-44-0	<i>Lead salts, explosive</i>
	<i>Explosive powders</i>	21609-90-5	<i>Lead styphnate, wetted</i>
22224-92-6	<i>Fenamiphos</i>	40334-69-8	<i>Leptophos</i>
122-14-5	<i>Fenitrothion</i>	40334-70-1	<i>Lewisite</i>
115-90-2	<i>Fensulfothion</i>	541-25-3	<i>Lewisite</i>
	<i>Flash powder</i>	58-89-9	<i>Lewisite</i>
144-49-0	<i>Fluoroacetic acid</i>		<i>Lindane</i>
7664-39-3	<i>Fluoric acid</i>		<i>Liquid nitrated polyol and trimethylolethane</i>
7782-41-4	<i>Fluorine</i>	68476-85-7	<i>Liquid oxygen explosives</i>
640-19-7	<i>Fluoroacetamide</i>		<i>LPG</i>
62-74-8	<i>Fluoroacetic acid, sodium salt</i>	2757-18-8	<i>Magnesium ophorite explosives</i>
944-22-9	<i>Fonofos</i>	12108-13-3	<i>Malonic acid, thallium salt (1:2)</i>
			<i>Manganese, tricarbonyl methylcyclopentadienyl</i>

130-39-2	Mannitol hexanitrate, wetted MDNP MEAN	10025-85-1	Nitrogen trichloride
2032-65-7	Mercptodimethur	55-63-0	Nitrogen tri-iodide
7487-94-7	Mercuric chloride Mercuric fulminate	628-96-6	Nitroglycerin
21908-53-2	Mercuric oxide	556-88-7	Nitroglycide
628-86-4	Mercury fulminate, wetted Mercury oxalate Mercury tartrate		Nitroglycol
502-39-6	Mercury, (3-cyanoguanidino)methyl-		Nitroguanidine
151-38-2	Mercury, (actato)(2-methoxyethyl)-	100-16-3	Nitroguanidine explosives
10476-95-6	Methacrolein diacetate	4549-40-0	Nitronium perchlorate propellant mixtures
920-46-7	Methacryloyl chloride		Nitroparaffin
30674-80-7	Methacryloyloxyethyl isocyanate		Nitroparaffins Explosive Grade and ammonium nitrate mixtures
10265-92-6	Methamidophos		Nitrophenylhydrazine, 4-
74-89-5	Methanamine		Nitrosomethylvinylamine, n-
75-50-3	Methanamine, N,N-dimethyl-		Nitrostarch
74-82-8	Methane	991-42-4	Nitro-substituted carboxylic acids
115-10-6	Methane, oxybis-	152-16-9	Nitrotriazolone
950-37-8	Methidathion		Norbormide
16752-77-5	Methomyl	8014-95-7	Octamethylphosphoramidate
79-22-1	Methyl chlorocarbonate		Octol
60-34-4	Methyl hydrazine		Octonal
624-83-9	Methyl isocyanate	20816-12-0	Oleum
556-61-6	Methyl isothiocyante	106602-80-6	Organic amine nitrates
74-93-1	Methyl mercaptan	145-73-3	Organic nitramines
298-00-0	Methyl parathion	23135-22-0	Osmium tetroxide
556-64-9	Methyl thiocyanate		Otto Fuel (Propylene Glycol Dinitrate)
78-94-4	Methyl vinyl ketone	2497-07-6	Oxabicyclo[2.2.1]heptane-2,3-di carboxylic acid, 7-
563-46-2	Methyl-1-butene, 2-	7782-44-7	Oxamidic acid, n',n'-dimethyl-n-
563-45-1	Methyl-1-butene, 3-	10028-15-6	((methylcarbamoyl)oxy)-1-methylthio-
126-98-7	Methylacrylonitrile	72-55-9	Oxydisulfoton
593-89-5	Methylchloroarsine	56-38-2	Oxygen (Bulk)
105-59-9	Methyldiethanoamine		Ozone
676-97-1	Methylphosphonyl dichloride		p,p'-DDE
115-11-7	Methylpropene, 2-	19624-22-7	Parathion
75-79-6	Methyltrichlorosilane	2570-26-5	PBX
	Metriol trinitrate	504-60-9	Pellet powder
7786-34-7	Mevinphos	78-11-5	Pentaborane
315-18-4	Mexacarbate	109-66-0	Pentadecylamine
	Minol-2	646-04-8	Pentadiene, 1,3-
50-07-7	Mitomycin C	627-20-3	Pentaerythrite tetranitrate
	MMAN	109-67-1	Pentane
6923-22-4	Monocrotophos		Pentene, (E)-2-
	Mononitrotoluene-nitroglycerin mixture	8066-33-9	Pentene, (Z)-2-
	Monopropellants	79-21-0	Pentene, 1-
505-60-2	Mustard gas		Penthrinite composition
63918-89-8	Mustard, O-NIBTN	594-42-3	Pentolite
13463-39-3	Nickel carbonyl	382-21-8	Peracetic acid
54-11-5	Nicotine and salts	696-28-6	Perchlorate explosive mixtures
	Nitrate explosive mixtures	108-98-5	Perchloromethyl mercaptan
	Nitrate sensitized with gelled	4104-14-7	Peroxide based explosive mixtures
	Nitrated carbohydrate explosive	75-44-5	PFIB
	Nitrated glucoside explosive	732-11-6	Phenyl dichloroarsine
	Nitrated polyhydric alcohol explosives	13171-21-6	Phenylmercaptan
7697-37-2	Nitric acid	7803-51-2	Phosacetim
	Nitric acid and a nitro aromatic	1031-47-6	Phosgene
	Nitric acid and carboxylic fuel explosive		Phosmet
	Nitric acid explosive mixtures		Phosphamidon
10102-43-9	Nitric oxide		Phosphine
	Nitro aromatic explosive mixtures	2665-30-7	Phosphonic diamide, p-(5-amino-3-phenyl-1h-1,2,4-triazol-1-yl)- n,n,n',n'-tetramet hyl-
	Nitro compounds of furane explosive mixtures		Phosphonothioic acid, ethyl-, o-ethyl o-(2,4,5-trichlorophenyl)ester
556-89-8	Nitro urea	311-45-5	Phosphonothioic acid, methyl-, o-(p-nitrophenyl) o-phenyl ester
2338-12-7	Nitrobenzotriazol, 5-	3254-63-5	Phosphoric acid, diethyl p-nitrophenyl ester
9004-70-0	Nitrocellulose	1314-56-3	Phosphoric acid, dimethyl p-(methylthio)phenyl ester
	Nitrocellulose explosive	2275-18-5	Phosphoric anhydride
1122-60-7	Nitrocyclohexane		Phosphorodithioic acid, o,o-diethyl ester, s-ester with n-isopropyl-2-mercaptoacetamide
	Nitroderivative of urea explosive mixture	13071-79-9	Phosphorodithioic acid, o,o-diethyl- s-(((1,1-dimethylethyl)thio)methyl)-ester
	Nitrogelatin explosive		Phosphorodithioic acid, o,o-diethyl- s-(((1,1-dimethylethyl)thio)methyl)-ester
10102-44-0	Nitrogen dioxide	55-91-4	Phosphorofluoridic acid, bis(1-methylethyl) ester
51-75-2	Nitrogen Mustard	297-97-2	Phosphorothioic acid, o,o-diethyl o-pyrazinyl ester
538-07-8	Nitrogen Mustard	52-85-7	Phosphorothioic acid, o,o-dimethyl o-[p-[(dimethylamino)-sulfonyl]phenyl] ester
555-77-1	Nitrogen Mustard	7723-14-0	Phosphorus

10025-87-3	Phosphorus oxychloride		Squibs
10026-13-8	Phosphorus pentachloride	597-64-8	Stannane, tetraethyl-
7719-12-2	Phosphorus trichloride	57-24-9	Strychnine and salts
489-98-5	Picramic acid and its salts	60-41-3	Strychnine, sulfate
	Picramide		Styphnic acid explosives
	Picrate explosives		sulfocyanate explosive
	Picrate of potassium explosive mixtures	3569-57-1	Sulfoxide, 3-chloropropyl octyl
	Picratol	10545-99-0	Sulfur dichloride
88-88-0	picryl chloride	7446-09-5	Sulfur dioxide
	Picryl fluoride	7783-60-0	Sulfur fluoride (SF ₄), (T-4)-
464-07-3	Pinacolyl alcohol	10025-67-9	Sulfur monochloride
110-89-4	Piperidine	2625-76-5	Sulfur Mustard
	PLX	63869-13-6	Sulfur Mustard
	Polynitro aliphatic compounds	7446-11-9	Sulfur trioxide
	Polyolpolynitrate-nitrocellulose	7664-93-9	Sulfuric acid
10124-50-2	Potassium arsenite	77-81-6	Tabun
	Potassium chlorate and lead		Tacot
151-50-8	Potassium cyanide	3058-38-6	TATB
	Potassium nitrate explosive mixtures		TATP
	Potassium nitroaminotetrazole	3689-24-5	TEDP
506-61-6	Potassium silver cyanide		TEGDN
463-49-0	Propadiene, 1,2-	778-80-4	Tellurium hexafluoride
74-98-6	Propane	107-49-3	TEPP
824-11-3	Propanediol, 2-ethyl-2-(hydroxymethyl)-, cyclic phosphite (1:1), 1,3-	127-18-4	Tetrachloroethylene
	Propanenitrile	78-00-2	Tetraethyl lead
107-12-0	Propargyl alcohol	75-74-1	Tetramethyllead
107-19-7	Propargyl bromide	3698-54-2	Tetranitroaniline
106-96-7	Propylene		Tetranitrocarbazole
115-07-1	Propylene imine	509-14-8	Tetranitromethane
75-55-8	Propylene oxide		Tetrazole explosives
75-56-9	Propyne, 1-	288-94-8	Tetrazole, 1H-
74-99-7	Pyridinamine, 4-		Tetrytol
504-24-5	Pyriminil	1314-32-5	Thallic oxide
53558-25-1	Pyrotechnic compositions	7446-18-6	Thallium (I) sulfate
	PYX	10031-59-1	Thallium(I) sulfate
	QL		Thickened inorganic oxidizer salt slurried explosive mixture
57856-11-8	Quinuclidin-3-ol	111-48-8	Thiodiglycol
1619-34-7	Ricin	39196-18-4	Thiofanox
9009-86-3	Safety fuse	541-53-7	Thioimidodicarbonic diamide
	Salts of organic amino sulfonic acid explosive mixture	7719-09-7	Thionyl chloride
	Salutes (bulk)	79-19-6	Thiosemicarbazide
107-44-8	Sarin	5344-82-1	Thiourea, (2-chlorophenyl)-
35523-89-8	Saxitoxin	103-85-5	Thiourea, phenyl-
3563-36-8	Sesquimustard	7550-45-0	Titanium tetrachloride
7803-62-5	Silane	3032-55-1	TMETN
75-77-4	Silane, chlorotrimethyl-		TNEF
75-76-3	Silane, tetramethyl-		TNEOC
10025-78-2	Silane, trichloro-		TNEOF
	Silver acetylide	584-84-9	Toluene-2,4-diisocyanate
13863-88-2	Silver azide	91-08-7	Toluene-2,6-diisocyanate
5610-59-3	Silver fulminate	26471-62-5	Toluenediisocyanate (mixed isomers)
	Silver oxalate explosive mixtures		Torpex
146-84-9	Silver picrate	1558-25-4	Trichloro(chloromethyl)silane
	Silver styphnate		Tridite
	Silver tartrate explosive mixtures	102-71-6	Triethanolamine
	Silver tetrazene	122-52-1	Triethyl phosphite
	Slurried explosive mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer (cap sensitive)	121-45-9	Trimethyl phosphite
	Smokeless powder		Trimethylol ethyl methane trinitrate composition
	Sodatol	26952-42-1	Trimethylolthane trinitratennitrocellulose
	Sodium amatol	28653-16-9	Trimonite
7784-46-5	Sodium arsenite	99-35-4	Trinitroaniline
26628-22-8	Sodium azide	2508-19-2	Trinitroanisole
	Sodium azide explosive mixture	129-66-8	Trinitrobenzene
143-33-9	Sodium cyanide	28260-61-9	Trinitrobenzenesulfonic acid
2312-76-7	Sodium dinitro-o-cresolate	28905-71-7	Trinitrobenzoic acid
	Sodium nitrate explosive mixtures	129-79-3	Trinitrochlorobenzene
	Sodium nitrate-potassium nitrate explosive mixture	602-99-3	Trinitrocresol
831-52-7	Sodium picramate		Trinitrofluorenone
13410-01-0	Sodium selenate		Trinitro-meta-cresol
10102-18-8	Sodium selenite		Trinitronaphthalene
96-64-0	Soman	88-89-1	Trinitrophenetol
	Special fireworks	479-45-8	Trinitrophenol
			Trinitrophenylmethylnitramine

82-71-3	<i>Trinitrophenol</i>
118-96-7	<i>Trinitroresorcinol</i>
76-20-0	<i>Trinitrotoluene</i>
66-75-1	<i>Tritonal</i>
7783-81-5	<i>Uracil, 5-(Bis(2-chloroethyl) (amino)</i>
124-47-0	<i>Uranium hexafluoride</i>
1314-62-1	<i>Urea nitrate</i>
108-05-4	<i>Vanadium pentoxide</i>
75-01-4	<i>Vinyl acetate</i>
75-35-4	<i>Vinyl chloride</i>
50782-69-9	<i>Vinylidene chloride</i>
129-06-6	<i>VX</i>
	<i>Warfarin sodium</i>
	<i>Water-bearing explosives having salts of oxidizing acids and nitrogen bases, sulfates, or sulfamates (cap sensitive)</i>
	<i>Water-in-oil emulsion explosive compositions</i>
	<i>Xanthomonas hydrophilic colloid explosive mixture</i>
28347-13-9	<i>Xylene dichloride</i>
1314-84-7	<i>Zinc phosphide</i>
58270-08-9	<i>Zinc, dichloro(4,4-dimethyl- 5(((methylamino) carbonyl)oxy)imino)pentanenitrile)-(,-(1-4)-</i>
63868-82-6	<i>Zirconium picramate</i>

Text of proposed rule and any required statements and analyses may be obtained from: George Estel, Office of Homeland Security, Suite 2170, Corning Tower, Albany, NY 12203, (518) 402-2227, e-mail: George.Estel@security.state.ny.us

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 45 days after publication of this notice.

Additional matter required by statute: A negative declaration is on file with the Office of Homeland Security.

Regulatory Impact Statement

Statutory Authority:

The Office of Homeland Security has the authority under Executive Law 709-2(n) and Executive Law 714-2(a) as amended by Chapter 1, part C of the Laws of 2004 to promulgate a list of substances that are toxic or hazardous to public health, safety or the environment as part of a broader effort of Chapter 1, part C to identify risks to the public and protect the security of critical infrastructure.

Legislative Objectives:

In authorizing promulgation of a list of substances that are toxic or hazardous, the legislative objective is to protect the public's health and safety. This legislative objective is furthered when the list is utilized in a deliberative process, in part, to identify facilities that store such substances and that are also at risk to release such substances in an unauthorized manner.

The Office of Homeland Security sought the input of the private sector in the development of the chemical substance list. The Business Council of New York State and the American Chemistry Council actively participated in the development of the completed list of toxic or hazardous chemicals.

Needs and Benefits:

Facilities that store hazardous or toxic substances in certain quantities are subject to federal and state regulations as a means of assuring that safeguards are in place to deter or detect accidental or unintentional releases to the environment and that both on-site and off-site emergency response plans exist to mitigate accidental or unintentional releases. Federal and state regulations however do not address security related measures that would be relevant when intentional releases are attempted. Promulgating a list of substances recognized as hazardous or toxic to human and environmental health will provide one criteria in defining which chemical facilities in New York State need to have an assessment of their current security measures.

Costs:

Costs to State Government:

There are no additional costs to the state other than costs associated with printing and distribution of the list.

Costs to Local Government:

There are no costs to local government.

Cost to Regulated Parties:

Promulgation of the list of substances does not pose a cost to the regulated parties, as the list carries no burden of compliance.

Local Government Mandates:

The proposed regulation does not impose a new program duty or responsibility to any county, city, town, village, school district, fire district or special district.

Paperwork:

No new paperwork requirements are created by this amendment.

Duplication:

This regulation does not duplicate any existing local, state or federal regulation. State and federal lists of hazardous or toxic substances do exist but they address only accidental or unintentional releases.

Alternatives Considered:

No alternative approaches were considered as Chapter 1, part C of the Laws of 2004 required the list to be promulgated.

Federal Standards:

Currently, neither federal law nor regulation governs security measures implemented at chemical facilities.

Compliance Schedule:

This regulation will be effective upon publication of a notice of adoption in the *State Register*.

Access to Studies and Data Abstract

The proposed list of chemicals is the result definitional requirements found in Chapter 1, part C of the Laws of 2004 and collaboration with the New York State Department of Environmental Conservation, the New York State Department of Health and representatives of the chemical industry as represented by the Business Council of New York State, the Chemical Alliance and the Chemistry Council. No studies or separate data were utilized in the formation of the proposed chemical list.

Regulatory Flexibility Analysis

Effect on Small Businesses and Local Government:

An estimated 1,100 chemical facilities exist in New York State of which approximately 163 employ less than 100 employees and are categorized as small businesses. These small businesses are primarily in manufacturing or sale of chemical products. These small businesses will not be affected by the proposed list of toxic or hazardous substances.

Compliance Requirements:

The proposed list does not impose compliance requirements on chemical facilities in New York State.

Professional Services:

No additional professional services are required by chemical facilities.

Costs:

The proposed list of substances does not pose a cost to the regulated parties, as the list carries no burden of compliance.

Economic and Technological Feasibility:

There is no economic cost associated with the proposed list and technological feasibility is not a factor in promulgating the proposed list.

Minimizing Adverse Economic Impact:

The proposed list does not impose compliance mandates on chemical facilities in New York State.

Small Business Participation:

The proposed list is based upon the definition established in Chapter 1, part C of the Laws of 2004. Two meetings were held with representatives of the chemical industry, including the Business Council of New York State, the Chemistry Council and the Chemical Alliance, to address concerns and issues raised in connection to the legislative mandate.

Rural Area Flexibility Analysis

Effect on Rural Areas:

There are approximately 170 chemical facilities in New York State that are located in all rural areas throughout the state.

Reporting and Recordkeeping:

The proposed list does not impose any additional reporting or record-keeping requirements.

Compliance Requirements:

The proposed list does not impose compliance requirements on chemical facilities in New York State.

Costs:

The proposed list of substances does not pose a cost to the regulated parties in rural areas, as the list carries no burden of compliance.

Minimizing Adverse Economic Impact on Rural Areas:

There is no economic cost associated with the proposed list and technological feasibility is not a factor in promulgating the list.

Rural Area Participation:

The proposed list is based upon the definition established in Chapter 1, part C of the Laws of 2004. Two meetings were held with representatives of the chemical industry, including the Business Council of New York State, the Chemistry Council and the Chemical Alliance, to address concerns and issues they had with the legislative definition.

Job Impact Statement

The Office of Homeland Security has determined that this rule will not have a substantial adverse impact on jobs and employment opportunities. The overall intent of this rule making is to satisfy the legislative mandate as described in Chapter 1, part C of the Laws of 2004.

Department of Labor

NOTICE OF ADOPTION**Minimum Wage Allowances****I.D. No.** LAB-09-05-00005-A**Filing No.** 516**Filing date:** May 4, 2005**Effective date:** May 25, 2005

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Parts 137, 138, 141, 142, 143 and 190 of Title 12 NYCRR.

Statutory authority: Labor Law, art. 19, section 652 and art. 2, section 21

Subject: Minimum wage allowances.

Purpose: To conform the wage orders with statutory amendments.

Substance of final rule: 12 NYCRR Parts 137 and 138, the minimum wage and minimum wage allowances for the restaurant and hotel industries, are amended to incorporate the increase in the minimum wage enacted pursuant to Chapter 747 of the Laws of 2004 and the statutorily required amendments to the minimum wage allowances (i.e., tips, uniforms, meals and lodging).

12 NYCRR Part 141 (building service industry), Part 142 (miscellaneous industries and occupations), Part 143 (non-profitmaking institutions), are amended to incorporate the increase in the minimum wage enacted pursuant to Chapter 747 of the Laws of 2004 and the statutorily required amendments to the minimum wage allowances.

12 NYCRR Part 190 (farm workers) is amended to incorporate the increase in the minimum wage enacted pursuant to Chapter 747 of the Laws of 2004.

Final rule as compared with last published rule: Nonsubstantive changes were made in section 142-2.5(a)(1)(ii).

Text of rule and any required statements and analyses may be obtained from: Diane Wallace Wehner, Legal Assistant, Department of Labor, State Office Campus, Bldg. 12, Albany, NY 12240, (518) 457-4380, e-mail: diane.wehner@labor.state.ny.us

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Changes made to the last published rule do not necessitate revision to the previously published Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis or Job Impact Statement.

Assessment of Public Comment

We received comments on our proposed rule from C. Michael Higgins, Assistant Attorney General at the Office of the New York State Attorney General. Mr. Higgins pointed out an error in Section 142-2.5(a)(1)(ii). The amounts for lodging stated "per meal" and they should have stated "per day". We revised the rule to correct this error.

Mr. Higgins also made a comment regarding a footnote that Lexis put on their version of the proposed rule. He stated that Lexis stated "NB Effective until March 20, 2005" and he felt the date should be January 5, 2005. This does not apply to our rule because it is not in the actual text of the amendments to the rule, it is merely a footnote that Lexis supplied.

Department of Motor Vehicles

NOTICE OF ADOPTION**Windshield Stickers****I.D. No.** MTV-10-05-00008-A**Filing No.** 514**Filing date:** May 4, 2005**Effective date:** May 25, 2005

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 174 of Title 15 NYCRR.

Statutory authority: Vehicle and Traffic Law, sections 215(a) and 375(1)

Subject: Windshield stickers.

Purpose: To allow for-hire vehicles licensed by the New York City Taxi and Limousine Commission to display a New York State inspection reminder sticker.

Text or summary was published in the notice of proposed rule making, I.D. No. MTV-10-05-00008-P, Issue of March 9, 2005.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Michele L. Welch, Department of Motor Vehicles, Empire State Plaza, Swan St. Bldg., Rm. 526, Albany, NY 12228, (518) 474-0871, e-mail: mwelc@dmv.state.ny.us

Assessment of Public Comment

The agency received no public comment.

Office of Parks, Recreation and Historic Preservation

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED****Fishing at Allegany State Park****I.D. No.** PKR-21-05-00003-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed action: This is a consensus rule making amending section 398.2(c) of Title 9 NYCRR.

Statutory authority: Parks, Recreation and Historic Preservation Law, section 3.09(8)

Subject: Fishing at Allegany State Park.

Purpose: To address the time of year the taking of fish is to be permitted in specific waters in Allegany State Park.

Text of proposed rule: Subdivision (c) of section 398.2 of Title 9 NYCRR is AMENDED to read as follows.

In the waters of Quaker Run Creek from Cain Hollow Bridge easterly to the Coon Run Road, fishing shall be permitted using artificial lures only. The possession or use of any natural bait shall be prohibited. *Additionally, such waters will be regulated by a delayed harvest management program requiring that any trout caught from April 1 through May 20 must be released unharmed. Possession of trout on this section is prohibited between April 1 and May 20.*

Text of proposed rule and any required statements and analyses may be obtained from: Jeffrey A. Meyers, Senior Attorney, Office of Parks, Recreation and Historic Preservation, Agency Bldg. 1, 19th Fl., Albany, NY 12238, (518) 486-2921, e-mail: Jeffrey.Meyers@oprhp.state.ny.us.

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 45 days after publication of this notice.

Consensus Rule Making Determination