

301 CMR 41.00: TOXIC OR HAZARDOUS SUBSTANCE LIST

Section

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* * * NO CHANGES TO 41.01 OR 41.02 * * *

41.03: Toxic or Hazardous Substance List

(1) For calendar year reporting period 2002 and thereafter, the toxic or hazardous substance list shall consist of the substances identified on the toxic chemical list pursuant to section 313 of EPCRA as of January 1, 2002 and the substances listed pursuant to sections 101(14) and 102 of CERCLA as of January 1, 2002, excluding the following substances:

- (a) copper, nickel, chromium, cobalt or manganese in a solid or molten metal alloy, but not including aerosols, where aerosol is defined as airborne particles less than 50 µm in diameter;
- (b) chromium III oxide;
- (c) hydroquinone, provided however that hydroquinone shall not be delisted for toxics users who manufacture hydroquinone;
- (d) acetic acid at concentrations less than or equal to 12%;
- (e) zinc oxide;
- (f) radionuclides;
- (g) silver-copper mixture when contained in an alloy form, but not including aerosols of the alloy where aerosol is defined as airborne particles less than 50 µm in diameter;
- (h) zero valance silver and copper, but not including aerosols of silver-copper alloy where aerosol is defined as airborne particles less than 50 µm in diameter; and
- (i) zinc stearate.

* * * NO CHANGES TO 41.03(1) TO 41.03(13) * * *

- (14) For calendar year reporting period 2022 and thereafter, the toxic or hazardous substance list shall include the following substance category:

The certain per- and polyfluoroalkyl substances not otherwise listed (Certain PFAS NOL) category consists of these substances:

Certain PFAS NOL includes those PFAS that contain a perfluoroalkyl moiety with three or more carbons (e.g., $-C_nF_{2n-}$, $n \geq 3$; or $CF_3-C_nF_{2n-}$, $n \geq 2$) or a perfluoroalkylether moiety with two or more carbons (e.g., $-C_nF_{2n}OC_mF_{2m-}$ or $-C_nF_{2n}OC_mF_{m-}$, n and $m \geq 1$), wherein for the example structures shown, the dash (–) is not a bond to a hydrogen and may represent a straight or branched structure, that are not otherwise listed.

- (15) For calendar year reporting period 2023 and thereafter, the toxic or hazardous substance list shall include the following substances, consistent with changes in the toxic chemical list established pursuant to EPCRA § 313:

<u>CAS #</u>	<u>Chemical Name</u>
2395-00-8	Potassium perfluorooctanoate
335-93-3	Silver(I) perfluorooctanoate
507-63-1	Perfluorooctyl iodide
65104-45-2	2-Propenoic acid, 2-methyl-, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,12-heneicosafluorododecyl ester, polymer with 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluorodecyl 2-methyl-2-propenoate, methyl 2-methyl-2-propenoate, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14,14-pentacosafluorotetradecyl 2-methyl-2-propenoate and 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluorooctyl 2-methyl-2-propenoate
203743-03-7	2-Propenoic acid, 2-methyl-, hexadecyl ester, polymers with 2-hydroxyethyl methacrylate, α - ω -perfluoro-C10-16-alkyl acrylate and stearyl methacrylate
29420-49-3	Potassium perfluorobutane sulfonate
375-73-5	Perfluorobutane sulfonic acid
45187-15-3	Perfluorobutanesulfonate

- (16) For calendar year reporting period 2024 and thereafter, the toxic or hazardous substance list shall include the following substances, consistent with changes in the toxic chemical list established pursuant to EPCRA § 313:

<u>CAS #</u>	<u>Chemical Name</u>
375-22-4	Perfluorobutanoic acid
2218-54-4	Sodium perfluorobutanoate
2966-54-3	Potassium heptafluorobutanoate
10495-86-0	Ammonium perfluorobutanoate
45048-62-2	Perfluorobutanoate
2728655-42-1	Alcohols, C8-16, γ - ω -perfluoro, reaction products with 1,6-diisocyanatohexane, glycidol and stearyl alc.
2738952-61-7	Acetamide, N-[3-(dimethylamino)propyl]-, 2-[(γ - ω -perfluoro-C4-20-alkyl)thio] derivs.
2742694-36-4	Acetamide, N-(2-aminoethyl)-, 2-[(γ - ω -perfluoro-C4-20-alkyl)thio] derivs., polymers with N1,N1-dimethyl-1,3-propanediamine, epichlorohydrin and ethylenediamine, oxidized
2744262-09-5	Acetic acid, 2-[(γ - ω -perfluoro-C4-20-alkyl)thio] derivs., 2-hydroxypropyl esters
683-18-1	Dibutyltin dichloride
96-23-1	1,3-Dichloro-2-propanol
75-12-7	Formamide
1222-05-5	1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[g]-2-benzopyran
111-41-1	n-Hydroxyethylethylenediamine
5064-31-3	Nitrilotriacetic acid trisodium salt

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140-66-9	p-(1,1,3,3-Tetramethylbutyl)phenol
87-61-6	1,2,3-Trichlorobenzene
2451-62-9	Triglycidyl isocyanurate
115-96-8	Tris(2-chloroethyl) phosphate
13674-87-8	Tris(1,3-dichloro-2-propyl) phosphate
25155-23-1	Tris(dimethylphenol) phosphate

Further, for calendar year reporting period 2024 and thereafter, the toxic or hazardous substance list shall include the following substance category, consistent with changes in the toxic chemical list established pursuant to EPCRA § 313:

The diisononyl phthalate (DINP) category includes all branched alkyl diesters of 1,2 benzenedicarboxylic acid in which alkyl ester moieties contain a total of nine carbons.

* * * NO ADDITIONAL CHANGES * * *