enced as they exist on the effective ıte of the final rule.

4 FR 49294, Nov. 30, 1989, as amended at 55 R 12644, Apr. 5, 1990; 56 FR 23231, May 21, 91; 57 FR 24961, June 12, 1992; 58 FR 30992, ay 28, 1993; 58 FR 34205, June 23, 1993]

799.3450 Propylene oxide.

(a) *Identification of test substance.* (1) ropylene oxide (CAS No. 75–56–9) shall ₃ tested in accordance with this sec- on.

(2) Propylene oxide of at least 99.0- ercent purity shall be used as the test ıbstance in all tests.

(b) *Persons required to submit study ans, conduct tests, and submit data.* (1) ll persons who manufacture or proc- ss propylene oxide, other than as an ıpurity, from January 10, 1986, to the ıd of the reimbursement period shall ıbmit letters of intent to conduct sting or exemption applications, udy plans, and shall conduct tests, nd submit data as specified in this ction, subpart A of this part, and art 790 of this chapter.

(2) Persons subject to this section are ot subject to the requirements of 790.50(a)(2), (5), and (6) and (b) and 790.87(a)(1)(ii) of this chapter.

(3) Persons who notify EPA of their ıtent to conduct tests in compliance ith the requirements of this section ıust submit plans for those tests no ıter than 30 days before the initiation f each of those tests.

(4) In addition to the requirements of 790.87(a)(2) and (3) of this chapter, PA will conditionally approve exemp- ion applications for this rule if EPA as received a letter of intent to con- uct the testing from which exemption s sought and EPA has adopted test tandards and schedules in a final hase II test rule.

(c) *Health effects testing*—(1) Devel- pmental toxicity—(i) *Required testing.* n inhalation developmental toxicity est in the rat shall be conducted with ropylene oxide.

(ii) *Test standards.* The inhalation de- elopmental toxicity testing shall be onducted in accordance with the EPA- pproved study plans (July 22, 1987): Range-finding Inhalation Devel- pmental Toxicity Study in Rats'' and Inhalation Developmental Toxicity tudy in Rats''. Copies of these EPA-approved study plans are located in the rulemaking record for this rule (docket no. OPPTS–42028D) and are available for inspection in EPA's OPPTS Reading Room, NE–G004, 401 M Street SW., Washington, DC 20460, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

(iii) *Reporting requirements.* (A) The developmental toxicity tests shall be completed and the final reports submitted to EPA within 12 months of the effective date of the final Phase II rule.

(B) An interim progress report shall be submitted to EPA 6 months after the effective date of the final Phase II rule.

(2) [Reserved]

(d) *Effective date.* The effective date of the final Phase II rule requiring inhalation developmental toxicity testing of propylene oxide is November 6, 1987.

(Approved by the Office of Management and Budget under control number 2070–0033)

[50 FR 48770, Nov. 27, 1985, as amended at 52 FR 35709, Sept. 23, 1987]

§ 799.4000 Tetrabromobisphenol A.

(a) *Identification of test substance.* (1) Tetrabromobisphenol A (TBBPA, CAS No. 79–94–7) shall be tested in accordance with this section.

(2) Tetrabromobisphenol A of at least 98 percent purity shall be used as the test substance.

(b) *Persons required to submit study plans, conduct tests, and submit data.* All persons who manufacture (including import) or process or intend to manufacture or process tetrabromobisphenol A, other than as an impurity, after August 19, 1987, to the end of the reimbursement period shall submit letters of intent to conduct testing, submit study plans, conduct tests, and submit data or submit exemption applications as specified in this section, subpart A of this part, and parts 790 and 792 of this chapter for single-phase rulemaking.

(c) *Chemical fate*—(1) *Biodegradability in sediment/water*—(i) *Required testing.* Biodegradation testing in sediment/water shall be conducted with TBBPA using clean, freshwater sediments in accordance with the method described in an A.W. Bourquin article entitled ''An Artificial Microbial Ecosystem for

Determining Effects and Fate of Toxicants in a Salt-Marsh Environment", published in *Developments in Industrial Microbiology*, Vol. 18, chapter 11, 1977, which is incorporated by reference. The method is available from the Office of the Federal Register Information Center, 11th and L St., NW., Washington, DC 20408, and in the EPA OPPTS Reading Room, Rm. G–004 Northeast Mall, 401 M St., SW., Washington, DC 20460. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The method is incorporated as it exists on the effective date of the final rule and a notice of any change to the method will be published in the FEDERAL REGISTER.

(ii) *Reporting requirements.* (A) The biodegradation test in sediment/water shall be completed and the final report submitted to EPA within 18 months of the effective date of the final rule.

(B) An interim progress report shall be submitted to EPA 6 months after the effective date of the final rule.

(2) *Inherent biodegradability in soil*—(i) *Required testing.* Inherent biodegradability in soil tests to assess aerobic and anaerobic biodegradability shall be conducted with TBBPA in accordance with § 796.3400 of this chapter.

(ii) *Reporting requirements.* (A) The inherent biodegradability in soil tests shall be completed and the final reports submitted to EPA within 18 months of the effective date of the final rule.

(B) An interim progress report shall be submitted to EPA 6 months after the effective date of the final rule.

(d) *Environmental effects*—(1) *Algal acute toxicity*—(i) *Required testing.* Algal acute toxicity testing shall be conducted with TBBPA using *Selenastrum capricornutum* in accordance with § 797.1050 of this chapter.

(ii) *Reporting requirements.* (A) The algal acute toxicity test shall be completed and the final report submitted to EPA within 15 months of the effective date of the final rule.

(B) An interim progress report shall be submitted to EPA 6 months after the effective date of the final rule.

(2) *Fish acute toxicity*—(i) *Required testing.* Fish acute toxicity testing shall be conducted with TBBPA using *Pimephales promelas* (fathead minnow) in accordance with § 797.1400 of this chapter.

(ii) *Reporting requirements.* (A) The fish acute toxicity test shall be completed and the final report submitted to EPA within 15 months of the effective date of the final rule.

(B) An interim progress report shall be submitted to EPA 6 months after the effective date of the final rule.

(3) *Midge partial life-cycle toxicity in sediments*—(i) *Required testing.* A 14-day toxicity test in a flow-through system shall be conducted with the midge (*Chironomus tentans*) using TBBPA-spiked clean, freshwater sediments having low, medium, and high organic carbon content in accordance with the American Society for Testing and Materials Special Technical Publication 854 (ASTM STP 854), entitled "Aquatic Safety Assessment of Chemicals Sorbed to Sediments," by W.J. Adams et. al., and published in *Aquatic Toxicology and Hazard Assessment: Seventh Symposium*, ASTM STP 854, pp. 429–453, R.D. Cardwell et. al., Eds. 1985, which is incorporated by reference. The method is available from the Office of the Federal Register Information Center, 11th and L St., NW., Washington, DC 20408, and in the EPA OPPTS Reading Room, Rm G–004 Northeast Mall, 401 M St., SW., Washington, DC 20460. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The method is incorporated as it exists on the effective date of this rule and a notice of any change to the method will be published in the FEDERAL REGISTER.

(ii) *Reporting requirements.* (A) The 14-day toxicity test with midge using sediments shall be conducted and the final report submitted to EPA within 2 years of the effective date of the final rule.

(B) Interim progress reports shall be submitted to EPA at 6-month intervals beginning 6 months after the effective date of the final rule, until the final report is submitted to EPA.

(4) *Daphnid chronic toxicity*—(i) *Required testing.* Daphnid chronic toxicity testing shall be conducted with TBBPA using *Daphnia magna* or *D. pulex* in accordance with § 797.1330 of this chapter.

ii) *Reporting requirements.* (A) The phnid chronic toxicity test shall be mpleted and the final report submitd to EPA within 2 years of the effecre date of the final rule.

B) Interim progress reports shall be bmitted to EPA at 6-month intervals ginning 6 months after the effective te of the final rule, until the final rert is submitted to EPA.

5) *Fish early life stage toxicity*—(i) *Reired testing.* (A) A fish early life stage xicity test shall be conducted with 3BPA. The test species shall be fatad minnow (*Pimephales promelas*) if e 96-hour LC_{50} for fathead minnow nducted in accordance with paraaph (d)(2) of this section is equal to less than 0.8 mg/L; the test species all be either fathead minnow or rainw trout if the 96-hour LC_{50} for fatad minnow is between 0.08–2.0 mg/L; e test species shall be rainbow trout the 96-hour LC_{50} for fathead minnow greater than or equal to 2.0 mg/L. ıe fish early life stage toxicity test all be conducted in accordance with 97.1600 of this chapter, except for the ovisions in paragraphs (c)(4)(iv)(A),)(2)(vii)(A)(*2*), (3)(i) and (ii)(B)(*1*), and)(A) of §797.1600.

B) For the purpose of this section, e following provisions also apply:

1) The first feeding for the fathead d sheepshead minnow fry shall begin ortly after transfer of the fry from e embryo cups to the test chambers. lversides are fed the first day after tch. Trout species initiate feeding at im-up. The trout fry shall be fed ɔut starter mash or live newlytched brine shrimp nauplii (*Artemia lina*) three times a day *ad libitum,* th excess food siphoned off daily. The nnow fry shall be fed *Artemia salina* least three times a day.

2) The concentration of dissolved oxen in the dilution water (fresh or lt) shall be greater than 75 percent of saturation. When necessary, dilun water should be aerated by means airstones, surface aerators, or screen bes before the introduction of the st substance.

3) Dissolved oxygen concentration. is recommended that the dissolved ygen concentration be maintained tween 90 and 100 percent saturation; t it shall be no less than 75 percent saturation at all times for both minnow species, silversides, and the trout species in all test chambers. Dilution water in the head box may be aerated, but the test solution itself shall not be aerated.

4) The concentration of dissolved oxygen shall not fall below 75 percent saturation for the fathead and sheepshead minnows and for the rainbow and brook trout.

5) Brook and rainbow trout embryos shall be maintained in darkness or very low light intensity through 1-week post-hatch, at which time a 16-hour light and 8-hour dark photoperiod shall be provided.

(6) *Bioconcentration in fish*—(i) *Required testing.* A bioconcentration test shall be conducted with TBBPA using *Pimephales promelas* (fathead minnow) in accordance with §797.1520 of this chapter.

(ii) *Reporting requirements.* (A) The bioconcentration test in fish shall be completed and the final report submitted to EPA within 18 months after the effective date of the final rule.

(B) An interim progress report shall be submitted to EPA 6-months after the effective date of the final rule.

(7) *Bioconcentration in oyster*—(i) *Required testing.* A bioconcentration test shall be conducted with TBBPA using *Crassostrea virginica* (oyster) in accordance with §797.1830 of this chapter.

(ii) *Reporting requirements.* (A) The bioconcentration test in oyster shall be completed and the final report submitted to EPA within 18 months of the effective date of the final rule.

(B) Interim progress reports shall be submitted to EPA at 6-month intervals beginning 6 months after the effective date of the final rule, until the final report is submitted to EPA.

(e) *Effective date.* The effective date of the final rule is August 19, 1987.

[52 FR 25225, July 6, 1987, as amended at 54 FR 27358, June 29, 1989; 58 FR 34205, June 23, 1993]

§799.4360 Tributyl phosphate.

(a) *Identification of test substance.* (1) Tributyl phosphate (TBP, CAS No. 126–73–8) shall be tested in accordance with this section.

(2) TBP of at least 99 percent purity shall be used as the test substance.