

HAZMAT

Division of Emergency Response and Technical Assessment
Bureau of Environmental Compliance

"SPILL BILL" Law and Regulations

**On the release or threatened release of hazardous substances into the environment,
the response to releases, and the liability for response and remediation**



CITY OF NEW YORK
MICHAEL BLOOMBERG, MAYOR
CARTER H.STRICKLAND, Jr., Commissioner
KEVIN McBRIDE, Deputy Commissioner
GREGORY HOAG, Executive Director, DERTA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NEW YORK CITY
Hazardous Substances
Emergency Response Law

Chapter 6
HAZARDOUS SUBSTANCE EMERGENCIES

SUBCHAPTER 1
SHORT TITLE, POLICY AND DEFINITIONS

NOTE: Added L.L. 42/87 § 6, approved 7/14/87. Effective 60 days thereafter. L.L. 42/87 provisions.

Section 1. Declaration of legislative intent and findings.

The council finds that the release or threatened release of hazardous substances into the environment presents a substantial danger to the public health, welfare and the environment. The enactment by the state legislature of a plan for the management of hazardous wastes has not reduced the need for or authority of the city to respond to emergencies caused by hazardous substance releases. The council declares that the response measures taken by the city must be effective and thorough so as to prevent injury to human, plant and animal life and change to property and the environment.

Therefore, the council hereby determines that the department of environmental protection should specifically be authorized to respond to emergencies caused by releases or threatened releases of hazardous substances into the environment. The council provides herein that responsible persons shall be jointly and severally liable for all lawful response and remediation costs incurred by any city agency authorized by law to respond to such emergencies, including but not limited to the departments of environmental protection, health and sanitation and the police and fire departments. It shall be the policy of the city to seek the recovery of such costs in the first instance from the persons whose actions contributed most to the release or threatened release of hazardous substances into the environmental. The council intends that this local law shall not in any way alter or limit to functions, powers and duties of the department of health, including but not limited to its authority regarding nuisance abatement and declarations of imminent peril.

§ 7. This law shall take effect on the sixtieth day after its enactment into law. Actions necessary to prepare for the implementation of this local law may be taken prior to its effective date.

(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.]

§ 24-601 Short title.

This chapter shall be known and may be cited as the "New York City hazardous substances emergency response law".

(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.]

§ 24-602 Declaration of policy.

It is hereby declared to be the public policy of the city to respond to emergencies caused by releases or threatened releases of hazardous substances into the environment so as to preserve, protect and improve the public health, safety and welfare, and to prevent injury to human, plant and animal life and property. It is the policy of the city that every person is entitled to an environment free of hazardous substances that are detrimental to life, health, and enjoyment of property. It is hereby declared that the release or threat of release of hazardous substances into the environment is a menace to the health, safety and welfare of the people of the city and may cause extensive damage to the environment and to property. This chapter shall be liberally construed so as to effectuate the purposes described in this section. Nothing herein shall be construed to abridge the powers of the board of health or the department of health to engage in any of their authorized activities.

(Section added L.L. 42/87 §6. [See Note at beginning of chapter.]

§ 24-603 Definitions.

When used in this chapter:

- a. "disposal " means the placing of any hazardous substance into or on any land or water so that such hazardous substance or any constituent thereof may be released into the environment.
- b. "hazardous substance" means each listed hazardous substance or any other chemical substance which when released into the environment may present a substantial danger to the public health or welfare or the environment.
- c. "listed hazardous substance" means any substance listed in accordance with section 24-609.
- d. "person" means any individual, trust, firm, corporation, joint stock company, association partnership, consortium, joint venture, commercial entity or governmental entity.
- e. "release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or

disposing into the environment, or the abandonment of a container or containers containing hazardous substance or substances.

- f. "response measures" include actions taken by a city agency or ordered to be taken by a city agency:
 - 1. to prevent, minimize or mitigate the release of hazardous substances so that they migrate to, or in any other manner, cause or threaten to cause substantial danger to the public health or welfare or the environment,
 - 2. to clean up or remove released hazardous substances from the environment, and
 - 3. which are necessary and appropriate to protect the public health or welfare or the environment from an immediate and substantial danger caused by a release or a substantial threat of a release of a hazardous substance into the environment, including but not limited to security measures to protect the public.

- g. "responsible person" means
 - 1. any owner, operator, lessee, occupant or tenant, other than a residential lessee, occupant or tenant, of property at the time there is a release, of a hazardous substance from such property into the environment or at the time of any response measures implemented in connection with any emergency involving such release or threat of release, provided that if such property is comprised of an owner occupied residential building consisting of six or fewer dwelling units used exclusively for residential purposes, an owner of such property shall be deemed to be a "responsible person" for purposes of this paragraph, only if the willful, knowing, reckless or negligent acts or omissions of such owner caused or substantially contributed to such release or threat of release, and further provided that a federal or state chartered and regulated financial institution which has received title to the property through abandonment, foreclosure, a deed in lieu of foreclosure, or through a judicial or bankruptcy order shall not be deemed to be a "responsible person" for purpose of this paragraph, unless
 - i willful, knowing reckless or negligent acts or omissions of such person caused or substantially contributed to such release or threat of release, or
 - ii the title was received in order to secure the underlying credit extension which had been entered into for the purpose of assisting

the responsible person in avoidance of the provisions of this chapter, or

- 2 any person whose act or omissions caused or substantially contributed to a release, or a substantial threat of a release, or a hazardous substance into the environment, provided that where there is a release, or a substantial threat of a release, of a hazardous substance into the environment from property used for residential purposes, a person using such property as a residence and any invitee or licensee engaged in a business involving the use or transport of any hazardous substance, shall be deemed to be a "responsible person" for purposes of this paragraph, only if the willful, knowing, reckless or negligent acts or omissions of such person or invitee caused or substantially contributed to such release or threat of release, or
- 3 any owner, operator, lessee, occupant or tenant of the property at the time of disposal of any hazardous substance thereon, who had caused, authorized or permitted such hazardous substance to be so disposed, where there is a release, or a substantial threat of a release, of such hazardous substance into the environment, or
- 4 any person who, pursuant to contractual arrangement, accepts or has accepted any hazardous substance for transport, transports such hazardous substance and there is a release, or a substantial threat of a release, of such hazardous substance into the environment, or
- 5 any person who by contract, agreement, or otherwise arranged for disposal or treatment or arranged with a transporter for transport for disposal or treatment of a hazardous substance owned or possessed by such person, and there is a release, or a substantial threat of a release of such hazardous substance in the environment; provided, however, that no person, who is an entity independent from an otherwise responsible person, authorized by the commissioner of environmental protection to implement response measures at the site of a release, or a threat of a release, of a hazardous substance into the environment, shall be deemed to be a "responsible person" solely on the basis of any authorized response measures attempted or implemented by such person at such site, unless such person's willful, knowing, reckless or negligent acts or omissions caused or substantially contributed to a release, or a substantial threat of a release, of a hazardous substance into the environment.

h "treatment" means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological

character or composition of any hazardous substance so as to neutralized such substance or so as to render such substance non-hazardous, safer for transport, amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activities or processing designed to change the physical form or chemical composition of a hazardous substance so as to render it nonhazardous.

(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.]

SUBCHAPTER 2

COST RECOVERY

§ 24-604 Recovery of emergency response costs.

- a. Each responsible person shall be jointly and severally liable without regard to fault, except as otherwise provided in this chapter, for the total cost incurred by the city for response measures implemented in connection with any emergency involving a release or substantial threat of a release of a hazardous substance into the environment.

- b. In any action brought by the city to recover its cost for response measures implemented in connection with any emergency involving a release or substantial threat of a release of a hazardous substance into the environment, it shall be an affirmative defense that the release or threat of release of a hazardous substance into the environment was caused solely by,
 1. an act of God;
 2. an act of war;
 3. an act or omission of a third party, other than an employee or agent of the defendant or a party whose act or omission occurs in connection with a direct or indirect contractual relationship with the defendant, if the defendant establishes by a preponderance of the evidence that
 - A he exercised due care with respect to the hazardous substance concerned, taking into consideration the characteristics of such hazardous substance, in light of all relevant facts and circumstances, and
 - B he took precautions against foreseeable acts or omissions of any such third party and the consequences that could foreseeably result from such acts or omissions; or

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- 4. any combination of paragraphs one, two or three.
 - c. Nothing in this chapter shall be construed to impair any remedy that a responsible person, or a guarantor of a responsible person, has or would have, by reason of indemnification, contribution, subrogation or any other lawful basis against any person, including any action to recover costs incurred for response measures.
 - d. Recovery by the city for response measures resulting from a release expressly authorized or permitted by applicable federal, state or local law shall be pursuant to existing law in lieu of this section. Nothing in this subdivision shall be construed to affect or modify in any way the obligations or liability of any person under any other applicable federal, state or local law, including common law, for damages, injury, or loss resulting from or for response measures implemented in connection with, any emergency involving a release or a substantial threat of a release of a hazardous substance into the environment.
(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.])

§ 24-605 Lien for emergency response costs.

- a. All costs incurred by the city, including but not limited to the costs of the departments of environmental protection, health and sanitation, and the police and fire departments, for response measures implemented pursuant to this chapter or any other applicable provision of law shall be a debt recoverable from each responsible person and a lien upon the real property of or at which owner, operator, lessee, occupant or tenant is a responsible person and at which such response measures were implemented.
- b. The mayor shall designate agency or agencies which shall receive for filing the certificate of expenses prepared in accordance with section 24-606 and shall keep a record of all such costs incurred. Such records shall be accessible to the public during business hours. Within thirty days after issuance of a purchase or work order for any response measure such order shall be entered on the records of the designated agency or agencies. All such records shall constitute notice to all parties.
- c. Any lien imposed by this section shall arise at the later of the following:
 - 1 the time that the amount of any costs incurred by the city for response measures shall have been definitely commuted as a statement of account and an agency designated pursuant to subdivision b of this section has caused to be filed in the office of the city collector:

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- i an entry of the account stated in the book in which such charges against the property are to be entered, and
 - ii copies of any notices of potential liability for such costs and statements reciting the dates such notices were mailed, received pursuant to section 24-606; and
 - 2 the third day after a responsible person, who is an owner of real property at which the response measures were implemented and whose liability for any cost incurred by the city for such response measures authorizes the imposition of a lien in accordance with subdivision a of this section, is sent by both certified or registered mail and first class mail notice of such person's potential liability for such costs. Such notice may be provided prior to the mailing of the notice pursuant to subdivision d of this section, but any notice provided pursuant to subparagraph (ii) of paragraph two of subdivision a of section 24-610 shall not be deemed to be notice of such person's potential liability, unless such person's potential liability is specifically referred to in such notice.
 - d A notice stating the amount due and the nature of the costs shall be sent by both certified or registered mail and first class mail by the city collector within five days after such entry pursuant to paragraph one of subdivision c of this section to the last known address of the person whose name appears on the records in the office of the city collector as being the owner or agent or as the person designated by the owner to receive tax bills or, where no name appears, to the property, addressed to either the owner or the agent. Such notice shall have stamped or printed thereon a reference to this section. Such notice shall constitute notice of the potential liability of such owner for such costs for purposes of paragraph two of subdivision c of this section, where no prior notice of potential liability for such costs has been sent.
 - e The city collector shall maintain copies of any notices of potential liability for the costs of response measures, together with statements indicating the dates such notices were mailed, filed by any agency designated pursuant to subdivision b of this section, and copies of any notices sent pursuant to subdivision d of this section, together with statements reciting the dates such notices were mailed.
 - f If such costs are not paid within thirty days from the date that notice is sent pursuant to subdivision d of this section, it shall be the duty of the city collector to receive interest thereon at the rate of interest set for late payment of real property taxes pursuant to section 11-224 to be calculated to the date of payment from the date of entry.

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- g Such costs and the interest thereon shall continue to be, until paid, a lien on the property. Such lien may be satisfied in accordance with the provisions of section thirteen hundred fifty-four of the real property actions and proceedings law.

 - h Any lien imposed by this section shall be subject to the rights of any mortgagee or lienor whose interest is perfected before notice of the lien has been filed in the office of the city collector, as provided in subdivision c of this section. Any such mortgagee or lienor shall be afforded the same protections against such lien as afforded under law against a judgement lien which arises out of an unsecured obligation and which arises as of the time of the filing of the notice of the lien imposed by this section.

 - i.
 - 1. In any proceedings to enforce or discharge the lien validity of the lien shall not be subject to challenge based on
 - i the lawfulness of the response measure implemented; or
 - ii the propriety and accuracy of the items of expenses of which a lien is claimed, except as provided in this subdivision.

 - 2 No such challenge may be made except by the owner of the property.

 - 3 An issue specified in paragraph one which was decided or could have been contested in a prior court proceeding or action shall not be open to re-examination.

 - 4 With respect to any issue specified in paragraph one of this subdivision the certificate filed pursuant to section 24-606 shall be presumptive evidence of the facts stated therein.

 - j In addition to establishing a lien, the city may recover such costs and interest thereon by bringing an action against the responsible person. The institution of such action shall not suspend or bar the right to pursue any other lawful remedy for the recovery of such costs.
(Section added L.L. 42/87 §6. [See Note at beginning of chapter.])

§ 24-606 Certificate of expenses.

Upon the completion of any response measure giving rise to a lien, the city agency implementing such response measure shall file with the agency or agencies designated by the mayor pursuant to section 24-605 a certificate setting forth the work done and the expenses incurred and certifying that such expenses

were necessary and proper in the exercise of its lawful powers and, where applicable, apportioning such expenses among lots or buildings belonging to different persons. The city agency implementing such response measure shall also file a copy of any notices of potential liability for such expenses it has mailed for purposes of paragraph two of subdivision c of section 24-605 and a statement reciting the date of any such mailing.

(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.]

SUBCHAPTER 3

HAZARDOUS SUBSTANCE RELEASE; EMERGENCY RESPONSE

§ 24-607 Definitions.

When used in this subchapter:

a "commissioner" means the commissioner of environmental protection.

b "department" means the department of environmental protection.
(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.]

§ 24-608 Emergency response.

a. When the commissioner has reason to believe that there has been a release or there exists a substantial threat of a release into the environment of a hazardous substance which may present an immediate and substantial danger to the public health or welfare or the environment, the commissioner may, in his or her discretion, order any or all responsible persons to implement any response measures, or to cooperate with and assist the commissioner in implementing any response measures, deemed by the commissioner to be necessary to protect the public health or welfare or the environment, or, if the commissioner, in the exercise of his or her discretion, concludes that seeking the implementing any such measures by a responsible person may be detrimental to public health or welfare or the environment due to the likelihood of delay or the ineffectiveness of such response measures, or for any other appropriate reason, the commissioner may implement such response measures. The commissioner shall, where appropriate, consult with the commissioner of health, the police commissioner and the fire commissioner concerning the need for and implementation of such response measures and orders. The commissioner

may also order the production of documents relevant for determining the nature and extent of the release or threat of release.

- b. Nothing in this subchapter shall be construed to preclude the implementation of response measures by any other city agency, either prior or subsequent to any response measure implemented pursuant to subdivision a of this section.
(Section added L.L. 42/87 § 6. [See Note at beginning of chapter.])

§ 24-609 Hazardous substances list; release notification and response regulations.

- a. The commissioner shall by regulation establish within one year from enactment of this section, a list of hazardous substances. The commissioner shall consider whether any of the following substances shall be included on such list:
 - 1 the extremely hazardous substances set forth in a list published pursuant to the emergency planning and community right-to-know act of 1986,
 - 2 the hazardous wastes identified under or listed pursuant to the resource conservation and recovery act of 1976, as amended,
 - 3 the hazardous substances referred to in or designated pursuant to the comprehensive environmental response, compensation, and liability act of 1980, as amended,
 - 4 the elements, compounds and mixtures determined to be hazardous chemicals in accordance with standards for toxic and hazardous substances promulgated pursuant to the occupational safety and health act of 1970, as amended, and
 - 5 the hazardous materials designated pursuant to the hazardous materials transportation act, as amended.
- b. The commissioner may promulgate regulations requiring any responsible person who knows or has reason to know of any release of a listed hazardous substance to immediately notify the commissioner. Such regulations shall establish the minimum quantity of any listed hazardous substance the release of which shall be reported to the commissioner and shall set forth the form and manner of any notification required. A knowing failure to comply with such notification requirement shall be punishable by a fine of not more than twenty five thousand dollars, to be

recovered in a civil action brought in the name of the commissioner or in a proceeding before the environmental control board.
Section added L.L. 42/87 § 6. [See Note at beginning of chapter.]

§ 24-610 Orders to be responsible persons; civil and criminal penalties and imprisonment.

- a 1 An order of the commissioner issued pursuant to subdivision a of section 24-608 shall specify the work to be performed and shall fix a reasonable time for compliance from the date of service of such order. Such order shall contain a statement that upon failure of the responsible person to comply with the commissioner's order within the stated time, the department may perform the work specified in the order or apply for a court order directing the responsible person to comply with the commissioner's order.
- 2
 - i Service of such order shall be made upon the responsible person personally or by certified or registered mail addressed to the last known address of such person or in any manner provided for service of process by article three of the civil practice law and rules.
 - ii In instances where the commissioner knows the responsible person served pursuant to subparagraph (i) is not the owner of the property at which the response measures ordered are to be implemented, notice that such order has been served, and a copy of such order, shall be sent by both certified or registered mail and first class mail to the last known address of the person whose name appears on the records in the office of the city collector as being the owner or agent or as the person designated by the owner to receive tax bills or, where no name appears, to such property, addressed to either the owner or the agent. Such notice shall have stamped or printed thereon a reference to this section. Any failure to provide written notice as prescribed by this subparagraph shall not in any way affect the liability of any person for the cost incurred by the city for any response measures implemented in accordance with this chapter.
- 3 A copy of such order shall be filed with the office of the register in the county in which is situated the property with respect to which such order was issued.
- 4 After service of such order upon a responsible person, such person may request a hearing, except in circumstances of imminent peril

in which the commissioner has determined that response measures are to be implemented without any delay. The commissioner shall promulgate rules and regulations setting forth the times within which and the procedures by which requests for hearings shall be made and hearings shall be held. At such hearing the responsible persons, shall be entitled to be represented by counsel and to present evidence. The commissioner may affirm, modify or revoke the order.

- b In addition to any response measures implemented by the commissioner pursuant to section 24-608, if the responsible person fails to comply with the commissioner's order with the time fixed for compliance pursuant to subdivision a of this section, the department may perform the work specified in the order, or may apply to any court the competent jurisdiction, upon such notice and in such manner as the court shall direct, for an order directing the responsible person to comply with the commissioner's order.
- c Any responsible person who without sufficient cause, willfully violates, or fails or refuses to comply with, any order of the commissioner issued pursuant to section 24-608 may be liable:
 - 1 for a civil penalty of not more than ten thousand dollars for each day in which such violation occurs of such failure or refusal to comply continues; and
 - 2 for an additional civil penalty in an amount of at least equal to and not more than three times, the amount of any costs incurred by the city as a result of such person's willful violation, or failure or refusal to comply. Such penalties may be recovered in a civil action brought in the name of the commissioner or in a proceeding before the environmental control board.
(Section added L.L 42/87 § 6. [See Note at beginning of chapter.])
- d In addition to the penalties set forth in subdivision c of this section and subdivision b of section 24-609, any person who knowingly violates or fails to comply with any order, rule or regulation issued by the commissioner pursuant to this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not less than twenty-five thousand dollars, or by imprisonment not to exceed one year, or both, for each violation.

§ 24-611 Regulations.

The commissioner shall have the power to promulgate such rules and regulations as may be necessary to carry out the purposes of this chapter.

(Section added L.L. 42/87 § [See Note at beginning of chapter.]

§24-612 Nonexclusivity of remedies.

Nothing in this chapter shall be construed to impair or diminish the power of the commissioner or any other agency to remove, repair, reconstruct, alter or abate a nuisance or to order any of the foregoing actions or to impose penalties on persons responsible for such nuisance or its removal, repair, reconstruction, alteration or abatement.

(Section added L.L. 42/87 § 6. [See Note at beginning of chapter])

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Promulgation of
Hazardous Substances
Emergency Response Regulations

IN COMPLIANCE WITH SECTION 1105 OF THE NEW YORK CITY CHARTER and exercising the authority vested in me as Commissioner under both Section 1403(c) of the Charter and Section 24-101 et. seq. Of the Administrative Code of the City of New York, notice is hereby given of promulgation of Hazardous Substances Emergency Response Regulations.

TITLE 1

AUTHORITY

Section 100 Authority

These rules and regulations, pertaining to the release or threatened release of hazardous substances into the environment of the City of New York and to the enforcement of the "New York City hazardous substances emergency response law", are promulgated under authority vested in the Commissioner by Sections 1403 and 1404 of the New York City Charter, and by Sections 24-609(a) and (b), 24-610(a)(4), and 24-611 of the Administrative Code of the City of New York.

TITLE II
DEFINITIONS

Section 200 Definitions.

The following definitions shall apply to the Hazardous Substances Emergency Response Regulations, Sections 100 et. seq., unless the context specifically indicates otherwise.

"Commissioner" shall mean the commissioner of the New York City Department of Environmental Protection or his/her designee.

"Department" shall mean the Department of Environmental Protection.

"Disposal" shall mean the placing of any hazardous substance(s) into or on any land or water so that such hazardous substance(s) or any constituent thereof may be released into the environment.

"Hazardous Substance" shall mean each listed hazardous substance or any other chemical substance which when released into the environment may present a substantial danger to the public health or welfare or the environment.

"Listed Hazardous Substance" shall mean any substance listed in accordance with §24-609 of the New York City hazardous substances emergency response law (Title IV of these regulations).

"Person" shall mean any individual, trust, firm, corporation, joint stock company, association, partnership, consortium, joint venture, commercial entity or government entity.

"Release" shall mean any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment.

"Reportable Quantity" shall mean the minimum quantity of a listed hazardous substance which when release will require notification to the Commissioner by any responsible person who knows or has reason to know of such release. These quantities are listed in Title IV.

"Response measures" shall include actions taken by a city agency or ordered to be taken by a city agency:

- a to prevent, minimize or mitigate the release of hazardous substances so that they do not migrate to, or in any other manner, cause or threaten to cause substantial danger to the public health or welfare or the environment,
- b to clean up or remove released hazardous substances from the environment, and
- c which are necessary and appropriate to protect the public health or welfare or the environment from an immediate and substantial danger caused by a release or a substantial threat of a release of a hazardous substance into the environment, including but not limited to security measures to protect the public.

"Responsible person" shall mean:

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- a any owner, operator, lessee, occupant or tenant, other than a residential lessee, occupant or tenant, of property at the time there is a release, or a substantial threat of a release, of a hazardous substance from such property into the environment or at the time of any response measures implemented in connection with any emergency involving such release or threat of release, provided that if such property is comprised of an owner-occupied residential building consisting of six or fewer dwelling units used exclusively for residential purposes, an owner of such property shall be deemed to be a "responsible person" for purposes of this paragraph, only if the willful, knowing, reckless or negligent acts or omissions of such owner caused or substantially contributed to such release or threat of release, and further provided that a federal or state chartered and regulated financial institution which has received title to the property through abandonment, foreclosure, a deed in lieu of foreclosure, or through a judicial or bankruptcy order shall not be deemed to be a "responsible person" for purposes of this paragraph, unless (i) willful, knowing reckless or negligent acts or omissions of such person caused or substantially contributed to such release or threat of release, or (ii) the title was received in order to secure the underlying credit extension which had been entered into for the purpose of assisting a responsible person in avoidance of the provisions of this chapter, or
- b any person whose acts or omissions caused or substantially contributed to a release, or a substantial threat of a release, of a hazardous substance into the environment, provided that where there is a release, or a substantial threat of a release of a hazardous substance into the environment from property used for residential purposes, a person using such property as a residence and any invitee or licensee of such person who enters such property, other than an invitee or licensee engaged in a business involving the use or transport of any hazardous substance, shall be deemed to be a "responsible person" for purposes of this paragraph, only if the willful, knowing, reckless or negligent acts or omissions of such person or invitee caused or substantially contributed to such release or threat of release, or
- c any owner, operator, lessee, occupant or tenant of the property at the time of disposal of any hazardous substance thereon, who had caused, authorized or permitted such hazardous substance to be so disposed, where there is a release, or a substantial threat of a release, of such hazardous substance into the environment, or
- d any person who, pursuant to contractual arrangement, accepts or has accepted any hazardous substance for transport, transports such

hazardous substance and there is a release, or a substantial threat of a release, of such hazardous substance into the environment, or

- e any person who by contract, agreement, or otherwise arranged for disposal or treatment or arranged with a transporter for transport for disposal or treatment of a hazardous substance owned or possessed by such person, and there is a release, or a substantial threat of a release, of such hazardous substance in the environment; provided, however, that no person, who is an entity independent from an otherwise responsible person, authorized by the commissioner of environmental protection to implement response measures at the site of a release, or a threat of a release, of a hazardous substance into the environment, shall be deemed to be a "responsible person" solely on the basis of any authorized response measures attempted or implemented by such person at such site, unless such person's willful, knowing, reckless or negligent acts or omissions caused or substantially contributed to a release, or a substantial threat of a release, of a hazardous substance into the environment.

"Treatment" shall mean any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous substance so as to neutralize such substance or so as to render such substance nonhazardous, safer for transport, amenable for recovery, processing designed to change the physical form or chemical composition of a hazardous substance so as to render it nonhazardous.

TITLE III

NOTIFICATION

Note: The regulations in this Title detail the requirement to notify the Commissioner of the Department of Environmental Protection in the event of a release of a listed hazardous substance. This notification is intended to supplement, not replace, other required emergency notifications. Therefore, in addition to any notification required under this Title, Police Emergency at 911 should be notified in the event of a significant incident involving a hazardous substance which presents a danger to the public. This alerts the City's Emergency Warning system and assures comprehensive City agency response to such an incident.

Section 300 Notification Requirement

- a Any responsible person who knows or has reason to know of any release of any listed hazardous substance in an amount which equals or exceeds

the reportable quantity of such substance shall immediately notify the Commissioner pursuant of §320.

1. Listed hazardous substances and reportable quantities are specified in Title IV.
 2. Notification shall not be required when a listed hazardous substance is release in an amount authorized pursuant to the provisions of a federal, state, or local permit or order, or court order.
- b Notification shall be made to the Commissioner by telephoning the Department at **718-595-4646** on business days from 9 A.M. to 5 P.M. Notification at all other times shall be made to the Department Communications Center at **718-595-4646**.

Section 310 Telephone Notification

Telephone notification shall include the following:

- a Hazardous substance(s) released, quantity or estimated quantity released and hazardous properties; and
- b Description of the incident including the cause, effect (e.g., illness or injuries), and status.

Section 320 Written Notification

- a Written notification shall be made to the Department within one week of the release by certified mail to the following address:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF EMERGENCY RESPONSE &
TECHNICAL ASSESSMENT
96-05 HORACE HARDING EXPRESSWAY
CORONA, NY 11368
ATTN: HAZARDOUS SUBSTANCES
EMERGENCY RESPONSE OFFICER

- b Written notification shall include the following information:
 - 1 The name(s) of the responsible person(s) and contact number(s); the name(s) of the owner(s) of the site; the location of the release; the time of the release; the chemical name and any trade names of the substance released; the hazardous characteristics of the chemical (e.g., toxic,

flammable, corrosive, etc.); the estimated quantity of any subsequent or continuing release; a description of areas affected by the release, such as public rights-of-way, residues in the area sewers, catch basins, equipment and structures, and the geographic extent of the affected areas; and

- 2 The nature of the process(es) which take place at the site including, but not limited to any processes involved in the actual release and any processes which might contribute to a hazardous situation or in any way impede response measures; and
 - 3 All climatological conditions which in any way contributed to the hazard of a release; and
 - 4 Any available information regarding injuries at the site, adjacent to the site, and elsewhere which may be a result of the release; and
 - 5 Details regarding abatement and/or cleanup measures taken by responsible person(s) or his/her designee(s), or any other person(s); and
 - 6 Any additional details requested by the Department at the time of telephone notification.
- c Additional written notification requirements, including weekly written status reports for longer term remediation, may be included in Departmental orders issued pursuant to §§24-608 and 24-610 of the Administrative Code.

TITLE IV

LISTED HAZARDOUS SUBSTANCES

Section 400 Definitions

- a The following substance categories which appear on the hazardous substances list shall have the following meanings:
 - 1 "Combustible Substance" shall mean any liquid which has a flash point at or above 100 ° F (37.8°C) and below 300° F (148.9° C).
 - 2 "Corrosive Substance" shall mean:

-
- A any liquid or solid that causes visible destruction or irreversible alterations in human skin tissue at the site of contact; or
 - B any aqueous solution with a pH less than or equal to 2 or greater than or equal to 12.5, as determined by a pH meter, or equivalent methods; or
 - C any liquid that corrodes steel (SAE 1020) at a rate greater than 5.35 mm (0.250 inch) per year at a test temperature of 130° F (55° C).
- 3 "Flammable Substance" shall mean any liquid having a flash point below 100° F (37.8° C).
- 4 "Ignitable Substance" shall mean any substance which has any of the following properties:
- A It is a solid which is capable under standard temperature and pressure of causing fire through friction, absorption of moisture, or spontaneous chemical changes; and which, when ignited, burns so vigorously and persistently that it creates a hazard; or
 - B It is flammable compressed gas, as defined in 49 CFR 173.300, and as determined by the test methods described in that regulation; or
 - C It is an oxidizer as defined in 49 CFR 173.151.
- 5 "Reactive Substance" shall mean any substance which has any of the following properties:
- A It is normally unstable and readily undergoes violent change without detonating; or
 - B It reacts violently with water; or
 - C It forms potentially explosive mixtures with water; or
 - D When mixed with water it generates toxic gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment; or

- E It is a cyanide or sulfur bearing substance which, when exposed to pH conditions between 2 and 12.5, can generate gases, vapors or fumes in a quantity sufficient to present a danger to human health or the environment; or
 - F It is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement; or
 - G It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
 - H It is a forbidden explosive as defined in 49 CFR 173.51, or a Class A explosive as defined in 49 CFR 173.53, or a Class B explosive as defined in 49 CFR 173.88.
- b For the purposes of this section, "flash point" shall mean the minimum temperature at which a liquid gives off vapor in a test vessel of sufficient concentration to form an ignitable mixture with air near the surface of the liquid. Such temperature shall be determined:
- 1 by a Pensky-Martens Closed Cup Tester using the test method specified in ASTM Standard D-93-79 or D-93-80; or
 - 2 by a Setaflash Closed Cup Tester using the test method specified in ASTM Standard D-3278-78; or
 - 3 by a Tag Closed Cup Tester, using the test method specified ASTM D-56-79.

Section 410 Reportable Quantities

- a Following is a list of hazardous substances and reportable quantities. Any responsible person who knows or has reason to know of a release of any listed hazardous substance in an amount which equals or exceeds the reportable quantity shall notify the Department as specified in Title III, except that no notification shall be required when such release occurs in an amount authorized

pursuant to the provisions of a federal, state, or local permit or order, or court order.

- b There may be circumstances in which a release of a hazardous substance or mixture of substances in an amount less than a reportable quantity creates a risk or danger to the public health, welfare, or the environment. In the event that a release of any amount of listed hazardous substance combines with other variables to produce such a hazard, any responsible person who knows or has reason to know of such release should notify the Commissioner of any such release.

List of Hazardous Substances and Reportable Quantities (RQ)

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Acetaldehyde	75-07-0	Ethyl aldehyde	L	100
Acetaldehyde, trichloro	75-87-6	Chloral, 2,2,2-Trichloroacetaldehyde	L	1
Acetic acid	64-19-7	Ethanoic Acid, glacial acetic acid	L	100
Acetone	67-64-1	2-Propanone	L	100
Acetone cyanohydrin	75-86-5	Lactonitrile, 2-cyano-2-Propanol	L	10
Acetone thiosemicarbazide	1752-30-3	Hydrazinecarbothioamide	S	1
Acetophenone	98-86-2	1-Phenyl-2-ethanone, Methyl Phenyl ketone	L	100
Acrolein	107-02-8	Acraldehyde, Acrylic Aldehyde	L	1
Acrylamide	79-06-1	Acrylic amide, Propenamamide	S	1,000
Acrylonitrile	107-13-1	Fumigrain, Acrylon, 2-Propenenitrile	L	100
Acrylyl chloride	814-68-6	Acryloly chloride, 2-Propenoyl chloride	L	1
Adiponitrile	111-69-3	Hexanedinitrile, Adipodinitrile, 1,4-Dicyanobutane	L	1
Aldicarb	116-06-3	Carbamyl, Carbanolate, Temik	S	1
Aldrin	309-00-2	Aldrex, Aldrite, Aldrosol, Drinox, Octalene, Seedrin	S	1
Allyl alcohol	107-18-6	Weed Drench, 2-Propenyl Alcohol, Vinylcarbinol	L	100
Allyl chloride	107-05-1	Ethanoyl chloride, 3-Chloro-propane	L	100
Allylamine	107-11-9	2-Propenylamine, 3-Aminopropene	L	1
Aluminium phosphide	20859-73-8	AIP, Celphos, Delicia, Detia, Phostoxin Al-Phos	S	100
Aminopterin	54-62-6	4-Amino-PGA, Aminopteridine, 4-Aminofolic Acid	S	1
Amiton	78-53-5	Metramak, Tetram, Inferno, Citram	L	1
Amiton oxalate	3734-97-2	Tetram 75, Monooxalate, Chipman 6199	S	1
Ammonia	7664-41-7	Anhydrous Ammonia	G	100
Ammonium chloroplatinate	16919-58-7	Platinic Ammonium Chloride	S	1
Ammonium hydroxide	1336-21-6	Aqua ammonia, Ammonia water	L	100
Ammonium sulfide	12135-76-1	Ammonium polysulfide	S	100
Ammonium thiocyanate	1762-95-4	Ammonium sulfacyanate	S	1,000
Amphetamine	300-62-9	Benzedrine, Phenedrine, Rhinalator, Sympamine	L	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Aniline	62-53-3	Aminobenzene, Benzidam, Blue Oil, Cyanol, Phenylamine	L	100
Aniline, 2,4,5-trimethyl-	88-05-1	Mesidine, 2-Aminomesitylene	L	1
Antimony pentachloride	7647-18-9	Antimony perchloride	L	100
Antimony pentafluoride	7783-70-2	Antimony fluoride	L	1
Antimony trichloride	10025-91-9	Antimony chloride	S,L	100
Antimony trifluoride	7783-56-4	Antimony fluoride	S	100
Antimony trioxide	1309-64-4		S	100
Antimycin A	1397-94-0	Virosin, Antipiricullin	S	1
Antu	86-88-4	Rat-tu, Rattrack, Dirax, Krysid, trichloride, trichloromethylbenzene, Chloromethylbenzene	S	100
Arsenic pentoxide	1303-28-2	Zotox, Orthoarsenic Acid, Arsenic	S	1,000
Arsenous oxide	1327-53-3	Arsenic Trioxide, Arsenite, White	S	1,000
Arsenous Trichloride	7784-34-1	Arsenic Butter, Caustic Oil of Arsenic, Trichloroarsine	L	100
Arsine	7784-34-1	Arsenic Trihydride, Hydrogen Arsenide	G	1
Asbestos	1332-21-4		S	1
Asbestos, anthophyllite	77536-67-5		S	1
Asbestos, chrysotile	12001-29-5		S	1
Asbestos, crocidolite	12001-28-4		S	1
Asbestos, tremolite	7753-68-6		S	1
Asbestos, actinolite	77536-66-4		S	1
Asbestos, amosite	12172-73-5		S	1
Azinphos-ethyl	2642-71-9	Ethyl Gusathion, Crysthion, Ethyl Guthion	S	1
Azinphos-methyl	86-50-0	Methyl Guthion, Carfene, Cornion, Crysthyon	S	1
Bacitracin	1405-87-4	Ayfivin, Bacignent, Parentracin	S	1
Barium cyanide	542-62-1	Barium dicyanide	S	10
Benzal chloride	98-87-3	Benzyl Dichloride, Benzylidene Chloride	L	100
Benzenamine, 3-(trifluoromethyl)	98-16-8	m-(Trifluoromethyl)aniline,m-toluidine	L	1
Benzene	71-43-2	Benzol	L	100
Benzene, 1(chloromethyl)-4-Nitro	100-14-1	p-Nitrobenzyl chloride, alpha-Chloro p-nitrotoluene	S	1
Benzenearsonic acid	98-05-5	Phenyl Arsenic Acid,	S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
		Phenylarsonic Acid		
1,3,-Benzenediol	108-46-3	Resorcinol	S	100
Benzenesulfonyl chloride	98-09-9	Benzene sulfonic chloride, Phenylsulfonyl chloride	L	100
Benzoyl chloride	98-88-4	Benzyl carbonyl chloride	L	100
Benzotrichloride	98-07-7	Benzyl trichloride, Toluene trichloride, trichloroemethylbenzene	L	1
Benzyl chloride	100-44-7	Alpha Chorotoluene, Toly chloride, chloromethyl benzene	L	100
Benzyl cyanide	140-29-4	2-Phenylacetonitrile, Cyanotoluene	L	1
Bicyclo{2.3.1]heptane-2-carbonitrile, 5-chloro-6-(((methylamino)carbonyl)oxy)lmino)	15271-41-7	Tranid	S	1
Bis(chloromethyl)ketone	534-07-6	1,3-Dichloroacetone,1,3-Dichloro-2-Propanone	S	1
Bitoscanate	4044-65-9	Biscomate, Jonit, Phenylene-1,4-Diisothiocyanate	S	1
Boron trichloride compound with methyl ether (1:1)	10294-34-5	Trichlorborane, Boron chloride	L	1
Boron trifluoride	353-42-4	Boron trifluoride dimethyl etherate	L	1
Boron trifluoride	7637-07-2	Boron fluoride, Trifluoroborane	G	1
Bromadiolone	28772-56-7	Maki, Ratimurs, Bromone, Contrac, Termus	S	1
Bromine	7726-95-6		L	1
Bromoacetone	598-31-2	2-Propanone, 1-bromo-	L	100
Bromoform	75-25-2	Tribromomethane	L	100
Butadiene	106-99-0	Vinylethylene, Divinyl, Erythrene	L	1
Butanol	71-36-3	Butyl alcohol, n-butyl alcohol	L	100
Butyl isovalerate	109-19-3	n-Butyl isopentanoate, Butyl 3-methylbutyrate	L	1
Butyl vinyl ether	111-34-2	Butoxyethene	L	1
Butyric acid	107-92-6	Butanoic acid-propenyl alcohol, vinyl carbinol	L	100
C.I. basic green 1	633-03-4	Brilliant Green, Aniline Green, Ethyl Green	S	1
Cadmium bromide	7789-42-6		S	100
Cadmium oxide	1306-19-0	Cadmium fume	S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Cadmiunum stearate	2223-93-0	Alaixol 11, Cadmium octadecanoate	S	1
Calcium arsenate	7778-44-1	Pencal, Spracal	S	1,000
Calcium cyanide	592-01-8	Cyanogas	S	10
Calcium hypochlorite	7778-54-3	Bleaching Powder	S	10
Camphochlor	8001-35-2	Toxaphene, Alltex, Estonox, Melipax	S	1
Cantharidin	56-25-7	Cantharone, Spanish Fly	S	1
Carbachol chloride	51-83-2	Carbanoylcholine chloride	S	1
Carbamic acid, methyl-O-(((2,4-Dimethyl-1,3-Dithiolan-2-yl)	26419-73-8	Tirpate	S	1
Carbon disulfide	75-15-0	Weeviltox, Carbon Bisulfide	L	100
Carbon tetrachloride	56-23-5	Tetrachloromethane	L	100
Carbonyl fluoride	353-50-4	Carbon oxyfluoride	G	100
Carbophenothion	786-19-6	Acarithion, Dagadip, Endyl, Garrathion, Trithion	L	1
Chlordane	57-74-9	Dowchlor, Toxichlor, Ortho-Klor, Niran, Synklor	L	1
Chlorfenvinfos	470-90-6	Birlan, Dermatol, Sapecron, Supone, Vinyphate	L	1
Chlorine	7782-50-5	Beritholite	G	10
Chlormepfos	24934-91-6	Dotan	L	1
Chlormequat chloride	999-81-5	Chlorocholine Chloride, Retacel, stabilan	S	1
Chlormethyl methyl ether	107-30-2	Methoxy chloromethane, Chlorodimethyl Ether	L	1
Chloroacetaldehyde	107-20-0	2-Chloro-1-ethanal, Chloroaldehyde	L	100
Chloroacetic acid	79-11-8	Chloroethanoic Acid	S	1
Chloroaniline	106-47-8	Chlorobenzeneamine	L	100
Chlorobenzene	108-90-7	Phenyl chloride	L	100
Chloroethanol	107-07-3	Ethylchlorohydrin, Glycomonochlorohydrin	L	1
Chloroethyl chloroformate	627-11-2	2-chloroethyl chlorocarbonate	L	1
Chloroform	67-66-3	Freon 20, Trichlormethane	L	10
Chloromethyl ether	542-88-1	Bix(chloromethyl)ether,1,1,'-dichlorodimethyl Ether		
Chlorophenol	95-57-8		S	100
Chloroxuron	1982-47-4	Chloroxifenidim, Norex, Tenoran	S	1
Chlorphacinone	3691-35-8	Drat, Liphadione, Quick, Raviac, Rozol, Delta, Ranal	S	1
Chlorthiophos	21923-23-9	Celathion	L	1
Chromic acid	11115-74-5	Chromium Oxide Solution	L	100
Cobalt	7440-48-4		S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Cobalt carbonyl	10210-68-1	Cobalt Tetracarbonyl, Dicobalt Carbonyl	S	1
Cobalt, ((2,2"-	62207-76-5	Fluomine	S	1
Colchicine	64-86-8	Colsin, Colsaloid, Conydlon, Colchisol	S	1
Combustible substances			L	100
Copper cyanide	544-92-3	Cupric cyanide	S	10
Corrosive substances			L,S	100
Coumafuryl	117-52-2	Fumarin, Krumkil, Lurat, Rathafin, Rat-A-Way, Tomarin	S	1
Coumaphos	56-72-4	Colsin, Colsaloid, Condylon, Colchisol	S	10
Coumatetrallyl	5836-29-3	Endox, Endrocide, Racumin	S	1
Cresol,o-	95-48-7	Cresylic Acid, o-toluol, 2-Methylphenol	S	100
Crimidine	535-89-7	Castrix	S	1
Crotonaldehyde	4170-30-3	2-Butenal, Crotonal, Crotylaldehyde	L	100
Crotonaldehyde, (E)-	123-73-9	Trans-2-Butenal, Topanel	L	100
Cyanogen bromide	506-68-3	Campilit, Bromine Cyanide, Bromocyan	S	100
Cyanogen iodide	506-78-5	Iodine Cyanide, Jodcyan	S	1
Cyanophos	2636-26-2	Ciafos, Cyanox, Cyap	L	1
Cyanuric fluoride	675-14-9	2,4,6-Trifluoro-s-Triazine	L	1
Cychlorhexane	110-82-7	Hexamethylene	L	100
Cychloheximide	66-81-0	Acti-Aid, Actidion, Hizarocin, Kaken, Naramycin	S	1
Cyclohexylamine	108-91-8	Hexahydroniline, Hexahydrobenzeamine	L	1
Cyclopentane	287-92-3	Penatmethylene	L	1
Decaborane (14)	17702-41-9	Decarboron	S	1
Demeton	8065-48-3	Systox, Isosystox, Thioldemeton, Mercaptofos	L	1
Demeton-s-methyl	919-86-8	Isometasystox, Metaisoseptox, Teolovy	L	1
Dialifos	10311-84-9	Dialifor, Torak	S	1
Diborane	19287-45-7	Boron Hydride, Boroethane	G	1
Dibutyl phthalate	84-74-2	Elaol, Celluflex DPB	L	10
Dichlorbezalkonium chloride	8023-53-8	Tetrosan	S	1
1,2-Dichlorbenzene	95-50-1	o-Dichlorobenzene	L	100
1,3-Dichlorbenzene	41-73-1	m-Dichlorobenzene	L	100
1,4-Dichlorbenzene	106-46-7	p-Dichlorobenzene	L	100
1,1-Dichloroethane	75-34-3	Ethylidene dichloride	L	100
1,2-Dichloroethane	107-06-2	Ethylene dichloride	L	100

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
1,1-Dichloroethylene	75-35-4	Vinylidene chloride	L	100
Dichloroethyl ether	111-44-4	Bis(2-chloroethyl)Ether, Chlorex	L	1
Dichloromethylphenylsilane	149-74-6	Phenylmethyldichlorosilane	L	1
2,4-Dichlorophenol	120-83-2		S	100
2,6-Dichlorophenol	87-65-0		S	100
2,4-Dichlorophenoxy acetic acid, esters, salts	94-75-7	2,4-D	S	100
2,2-Dichloropropionic acid	75-99-0	Dalapan	L	100
1,3-Dichloropropene	542-75-6		L	100
Dichlorvos	62-73-7	Marvex, Phosvit, Vapona, Atgard, Nuvan, Tenac	L	10
Dicrotophos	141-66-2	Bidrin, Oleobidrin, Carbicron, Carbomicron	L	1
Diepoxybutane	1464-53-5	Bioxiran, Butadiene Dioxide	L	1
Diethyl chlorophosphate	814-49-3	Diethoxyphosphorous Oxychloride	L	1
Diethyl-p-phenylene diamine	93-05-0	N,N,-Diethyl-1,4-Benzenediamine	L	1
Diethylcarbamazine citrate	1642-54-2	Cypip, Banocide, Dicarocide, Ditrizine, Franocide	S	1
Digitoxin	71-63-6	Acedoxin, Digitalin, Glucodigin, Purpurid	S	1
Diglycidyl ether	2238-07-5	Bix(2,3-Epoxypropyl)ether	L	1
Digoxin chloride	20830-75-5	Acygoxin, Lanicor, Digacin, Lanoxin, Rougoxin	S	1
Dimefox	115-26-4	Hanane, Pestox 14, Terrasystem, Tetrasystem	L	1
Dimethoate	60-51-5	Crygon, Daphene, Dimethon, Perfecthion, Phosphamide	S	10
2,4-Dimethylphenol	105-67-9		S	100
Dimethyl phosphorochloridothioate	2524-03-0	Chlorodimethoxyphosphine sulfide	L	1
Dimethyl phthalate	131-11-3	Avolin, Fermine, Mipax, Repeftal, Solvanom, Unimolum	L	1,000
Dimethyl sulfate	77-78-1	DMS, Methyl Sulfate	L	1
Dimethyl sulfide	75-18-3	DMS, 2-Thiapropane, Dimethyl Thioether, Exact-S	L	1
Dimethyl-p-phenylene diamine	99-98-9	N,N,-Dimethyl-1,4-Benzenediamine	S	1
Dimethylamine	124-40-3	Methylmethanamine	G	100
Dimethyldichlorosilane	75-78-5	Dichlorodimethylsilicon, Inerton AW-DMCS	L	1
Dimethylhydrazine	57-14-7	Dimazin, Unsymmetrical Dimethylhydrazine	L	1
Dimetilan	644-64-4	Fly Bands, Snip	S	1
Dinitrobenzene	25154-54-5	Dinitrobenzol	S	100

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Dinitrocresol	534-52-1	2,4-Dinitro-6-Methylcresol, Antinonin, Capsine Elgetol	S	10
Dinitrophenol	25550-58-7		S	10
Dinitrotoluene	25321-14-6	Methyl-dinitrobenzene	S	100
Dinoseb	88-85-7	Butaphene, Caldon, Dibutox, Elgetol, Premgra	S	100
Dinoterb	1420-07-1	Herbogil, Stirpanforte, Veraline, Crème	S	1
Diocetyl phtalate	117-84-0	1,2-Benzene dicarboxylic Acid Diocetyl Ester	L	1,000
Dioxanthion	78-34-2	Bercotox, Delnatex, Dioxothion, Navadel, Ruphos	L	1
Dioxolane	646-06-0	1,3-Dioxole, Ethylene Glycol Formal, Formal	L	1
Diphacinone	82-66-6	Diandrin, Didion, Dipaxi, Diphacin, promar, Ramik	S	1
Diphosphoramide	152-16-9	Lethalaire G-59, Ompatox, Ompax Postox III	L	100
Disulfoton	298-04-4	Disystox, Ethylthiometon, Frumin, Glebofos	L	
Dithiazanine iodide	514-73-8	Abminthic, Anelmid, Delvex, Dilombrini, Partel	S	1
Dithiobiuret	541-53-7	2-Thio-1-thiocarbomayl urea	S	1
Emetine, dihydrochloride	316-42-7	Amebicide, Emetine Hydrochloride	S	1
Endosulfan	115-29-7	Thiosulfan, Thiotex, Benzoepin, Chlorthiepin	S	1
Endothion	2778-04-3	Endocide, Exothion, Phosphopylon, Phosphopyrone	S	1
Endrin	72-20-8	Hexadrin, Isodrin Epoxide, Endrical, Endrex, Mendrin	S	1
Epichlorohydrin	106-89-8	1-chloro-2,3-Epoxypropane, Glycidyl Chloride	L	100
EPN	2104-64-5	Santox	S	1
Ergocalciferol	50-14-5	Activated Ergosterol, Condol, Drisdol, Vitamin D2	S	1
Ergotamine tartrate	379-79-3	Gynergen, Ergam, Exmigra, Rigtamin, Secagyn, Secopan	S	1
Ethanesulfonyl chloride, 2-chloro	1622-32-8	2-Chloroethylsulfonyl Chloride	L	1
Ethanol, 1,2-dichloro-acetate	10140-87-1	1,2-Dichloroethyl Acetate	L	1
Ethion	5563-12-2	Diethion, Ethopaz, Hylemox, Rhodocide, Soprathion	L	10
Ethoprophos	13194-48-4	Mocap, Ethoprop, Jolt, Prophos, Rovokil, VC9-104	L	1
Ethyl cyanide	107-12-0	Propanenitrile	L	10

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Ethyl ether	60-29-7	Diethyl ether, Ethyl oxide, Ether	L	1
Ethyl thiocyanate	542-90-5	Ethyl Rhodanate, Ethyl Sulphocyanate, Thiocyanatoethane	L	1
Ethylbenzene	100-41-4	Phenylethane	L	100
Ethylbis(2-chlorethyl)amine	538-07-8	2,2-Dichlorotriethylamine	L	1
Ethylene dibromide	106-93-4	1,2-Dibromethane	L	1,000
Ethylene dichloride	107-06-2	1,2-Dichloroethane	L	100
Ethylene fluorohydrin	371-62-0	2-Fluoroethanol, beta-fluoroethanol	L	1
Ethylene oxide	75-15-3	Oxane, Oxirane, Oxyfume, Oxacyclopropane	G	1
Ethylenediamine	107-15-3	1,2-Diaminoethane, Dimethylenediamine	L	100
Ethyleneimine	151-56-4	Azacyclopropane, Azirane, Aziridine, Ethylimine	L	1
Ethylidene dichloride	75-34-3	1,2-Diaminoethane, Dimethyleineamine	L	100
Ethylmercuric phosphate	2235-25-8	Soilsin, Ruberon, Ceresan, Lignasin, Granosan M	S	1
Fenamiphos	22224-92-6	Nemacur, Phenamiphos	S	1
Fenitrothion	122-14-5	Nitrophos, Metathion, Nuvanol, Sumithion, Fentrothione	L	1
Fensulfthion	115-90-2	Agricur, Dasanit, Terracur, Daconit, Chemgro 25141	L	1
Flammable substances			L	1
Fluenetil	4301-50-2	Fluenehtyl, Lambrol, Mytrol	S	1
Fluoracetyl chloride	359-06-8		L	1
Fluorine	7782-41-4		G	10
Fluoroacetamide	640-19-7	Fussol, Megatox, Navron, Rodex, Yanock, Fluorakil 100	S	100
Fluorouracil	51-21-8	Efudex, Fluoroplex, Fluracil, Fluril	S	1
Fluroacetic acid	144-49-0	Cymonic Acid, Gifblaar Poison	S	1
Fonofos	944-22-9	Diphonate, Difonat, Difonatul, Dyfonate	L	1
Formaldehyde	50-00-0	Formalin, Lysoform, Morbicid, Methanal, Formal	L,G	100
Formaldehyde cyanohydrin	107-16-4	Hydroxyacetoneitrile, Cyanomethanol, Glycolic Nitrile	L	1
Formatanate	23422-53-9	Formenatate Hydrochloride, Carzol	S	1
Formothion	2540-82-1	Aflix, Anthio, Toprose, Antio	L	1
Formaparanate	17702-57-7		S	1
Fosthietan	21548-32-3	Acconem, Geofos, Nem-a-tak	L	1
Fuberidazole	3878-19-1	Fuberidatol, Fubridazole, Voronit, Fuberisazol	S	1
Furan	110-00-9	Tetrol, Axole, 1,4-Epoxy-1,3-Butadience, Furfaran	L	100

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Gallium trichloride	13450-90-3	Gallium (III) Chloride	S	1
Hexachlorocyclopentadiene	77-47-4	Graphlox, Perchlorcyclopentadiene	L	1
Hexachloroanaphthalene	1335-87-1	Halowax 1014	S	1
Hexamethylenediamine,N,N-dibutyl	4835-11-4	1,6-N,N-Dibutylhexanediamine	L	1
Hydrazine	302-01-2	Diamine, Levoxine	L	1
Hydrochloric acid	7647-01-0	Muriatic acid	L	100
Hydrocyanic acid	74-90-8	Hydrogen Cyanide, Prussic Acid, Cyclon, Evercyn	G	10
Hydrofluoric acid	7664-39-3	Fluohydric acid	L	100
Hydrogen chloride	7647-01-0	Hydrochloric Acid, Muriatic Acid, Spirits of Salt	L,G	100
Hydrogen fluoride	7664-39-3	Hydrofluoric Acid, Antisal 2B	L,G	100
Hydrogen peroxide(conc>52%)	7722-84-1	Albone, Inhibine, Perhydrol, Superoxol	L	1
Hydrogen selenide	7783-07-5	Selane, Selenium Anhydride, Selenium Dihydride	G	1
Hydrogen sulfide	7783-06-4	Sewer Gas, Stink Damp, Hydrosulfuric Acid	G	100
Hydroquinone	123-31-9	1,4-Benzenediol, Quinol, Tequinol, Arctuvin	S	1
Hydrosulphuric acid	7783-06-4	Aqueous hydrogen sulfide	L	100
Ignitable substances			S,L,G	100
Indomethacin	53-86-1	Amuno, Artrivia, Indacin, Indomed, Metartril, Sadoreum	S	1
Iridium tetrachloride	10025-97-5	Iridium(IV)Chloride, Iridic Chloride	S	1
Iron, pentacarbonyl-	13463-40-6	Pentacarbonyliron, Iron Carbonyl	L	1
Isobenzan	297-78-9	Omtan, Telodrin	S	1
Isobutyronitrile	78-82-0	2-Cyanopropane, Isopropyl Nitrile, Isopropyl	L	1
Isocyanic acid, 3,4-dichlorophenyl ester	102-36-3	1,2-Dichloro-4-Isocyanatobenzene	S	1
Isodrin	465-73-6	Experimental Insecticide 711	S	1
Isofluorphate	55-91-4	Diflupyl, Dyflos, Floropryl, Fluostigmine	L	100
Isophorone	78-59-1		L	100
Isophorone diisocyanate	4098-71-9		S	1
Isopropyl chloroformate	108-23-6	Isopropyl Chlorocarbonate	L	1
Isopropyl formate	625-55-8		L	1
Isopropylmethylpyrazolyl dimethylcarbamate	119-38-0	Primin, Saolan, Isolan	L	1
Kepone	143-50-0	Chlordecone	S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Lactonitrile	78-97-7	2-Hydroxypropanentrile, Acetocyanohydrin	L	1
Leptophos	21609-90-5	Abar, Fosvel, Lepton,, Oleophosvel, Visicol 506	S	1
Lewisite	541-25-3	Chlorovinylarsine Dichloride	L	1
Lindane	58-89-8	Aficide, Isotox, Silvanol, Viton, Gammahexa, Horte	S	1
Lithium hydride	7580-67-8		S	1
Malathion	121-75-5	Carbofos	L	1
Malononitrile	109-77-3	Dicyanomethane, Propanedinitrile, Methylenedinitrile	S	100
Manganese, tricarbonyl methylcyclopentadienyl	12108-13-3	Antiknock-33, Methylcymanatrene	L	1
Mechlorethamine	51-75-2	Chloramine, Mustargen, Nitrogen Mustad, Embichin	L	1
Mercuric acetate	1600-27-7	Mercury(II)Acetate, Mercuric Diacetate	S	1
Mercuric chloride	7487-94-7	Mercury(II)Chloride, Corrosive Sublimate, Fungchex Solem	S	1
Mercuric cyanide	592-04-1	Canurina	S	1
Mercuric oxide	21908-53-2	Montroydite, Red Precipitate, Yellow Precipitate	S	1
Mercury	7439-97-6	Quick Silver	S	1
Mesitylene	108-67-8	1,3,5-Trimethylbenzene, Fleet X	L	1
Mesphosfolan	950-10-7		L	1
Methacrolein diacetate	10476-95-6		L	1
Methacrylic anhydride	760-93-0	Methacryloyl Anhydride	L	1
Methacrylonitrile	126-98-7	2-Cyano-1-Propene, Isopropene Cyanide	L	100
Methacryloyl chloride	920-46-7	Methacrylic Chloride	L	1
Methacryloyloxyethyl isocyanate	30674-80-7		L	1
Methamidophos	10265-92-6	Monitor, Acephate-Met, Hamidop, Tamaron, Chevaron 9006	S	1
Methanesulfonyl fluoride	558-25-8	Fumette	L	1
Methanol	67-56-1	Methyl alcohol, Wood alcohol	L	100
Methidathion	950-37-8	Ultracide, Supracide, Medathion, Somonil, Supracid	S	1
Methiocarb	2032-65-7	Mesurol, Metmercapturon	S	10
Methomyl	16752-77-5	Lannate, Meysomile, Nudrin	S	100
Methoxyethylmercuric-acetate	151-38-2	Landisan, Mercuran, Radosan	S	1
Methyl thiocyanate	556-64-9	Methyl Rhodanate, Methyl Sulfocyanate	L	1
Methyl 2-chloroacrylate	80-63-7	Methyl 2-chloro-2-Propenoate	L	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Methyl bromide	74-83-9	Bromomethane, Corafume, Pestmaster, Rotox, Zyttox	G	100
Methyl chloride	74-87-3	Chloromethane	G	1
Methyl chloroformate	79-22-1	Methoxycarbonyl Chloride, Methyl Chlorocarbonate	L	100
Methyl disulfide	624-92-0	Dimethyldisulfide	L	1
Methyl ethyl ketone	78-93-3	1-Butanone	L	100
Methyl ethyl ketone peroxide	1338-23-4	2-Butanone peroxide	L	10
Methyl isobutyl ketone	108-10-1	Methyl pentanone, 4-Methyl-2-pentanone	L	5,000
Methyl isocyanate	624-83-9	Isocyanatomethane	L	1
Methyl isothiocyanate	556-61-6	Methyl Mustard Oil, Trapax, Trapexide, Vorlex, Vortex	S	1
Methyl mercaptan	74-93-1	Methanethiol, Thiomethanol, Mercaptomethane	G	100
Methyl methacrylate	80-62-6	Methyl methacrylate monomer	L	100
Methyl phenkapton	3735-23-7	Methyl Phencapton	L	1
Methyl phosphonic dichloride	676-97-1		S	1
Methyl vinyl ketone	78-94-4	2-Butenone, 3-Buten-2-one, Methylene Acetone	L	1
Methylene bromide	74-95-3	Dibromomethane	L	100
Methylene chloride	75-09-2	Dichloromethane	L	100
Methylhydrazine	60-34-4	Hydrazomethane, Monomethylhydrazine	L	10
Methylmercuric dicyonamide	502-39-6	Agrosol, Morsodren, Morton Soil Drench, Pano-Drench	S	1
Methyltrichlorosilane	75-79-6	Methylsilyl Trichloride, Trichloromethyl silicon	L	1
Metolcarb	1129-41-5	Tsumacide, m-Cresyl Methylcarbamate, Kumia, Metacrate	S	1
Mevinphos	7786-34-7	Apavinphos, Fosdrin, Gesfid, Gestid, Meniphos, Menite, Phosfene	L	10
Mexacarbate	315-18-4	Zectran, Mexicarbate, Zectane, Zaxtran, Zactran	S	1,000
Mitomycin C	50-07-7	Ametycine, Mutamycin	S	1
Monocrotophos	6923-22-4	Azodrin, N-methyl Bidrin, Nuvacron, Bilogran, Monocron	S	1
Muscimol	2763-96-4	Agarin, Agarine, Pantherine	S	1,000
Mustard gas	505-60-2	Sulfur Mustard, Yperite, Yellow cross liquid, Mustard Vapor	L	1
Naphthalene	91-20-3	Naphthene	S	100
Nickel	7440-02-0	Nickel sponge, Raney Alloy, Cabonyl nickel powder	S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Nickel carbonyl	13463-39-3	Nickel tetracarbonyl	L	1
Nickel cyanide	557-19-7		S	1
Nicotine	54-11-5	Destrujol orchid spray, Mach-Nic, Nicocide, Nico-Dust	L	100
Nicotine sulfate	65-30-5	Black leaf 40	S	1
Nitric acid	7697-37-2	Aqua fortis, Nital, Engraver's acid, Azotic Acid	L	100
Nitric oxide	10102-43-9	Nitrogen Monoxide, Nitrogen Oxide	G	10
Nitrobenzene	98-95-3	Mirbane oil, essence of myrabane	L	100
Nitrocyclohexane	1122-60-7		L	1
Nitrogen dioxide	10102-44-0	Nitrito, Nitro, Nitrogen peroxide, Nitrogen tetroxide	G	10
Nitroglycerine	55-63-0	Nitroglycerol, glycerine trinitrate	L	10
Nitorsodimethylamine	62-75-9	Dimethyl Nitrosamine, Dimethylnitrosoamine	L	1
Nitrotoluene	1321-12-6	Methylnitrobenzene	S	1
Norbormide	991-42-4	Raticide, Raticate, Shoxin	S	1
Oleum	0	Fuming Sulfuric Acid	L	1
Organorhodium complex(PMN-82-147)	0			
Orotic acid	65-86-1	Animal galactose factor, Whey Factor, Orodin, Orotonin	S	1
Osmium tetroxide	20816-12-0	Osmic acid anhydride, Perosmic Oxide, Osmium Oxide	S	100
Ouabain	630-60-4	Acocantherin, Astrobain, Storphosan, Purostrophan	S	1
Oxamyl	23135-22-0	Thioazmyl, Vydate	S	1
Oxetane,3,3 bis(chloromethyl)-	78-71-7	Penton	L	1
Oxydisulfoton	2497-07-6	Disyston Sulfoxide, Oxydemeton-ethyl	L	1
Ozone	10028-15-6	Triatomic oxygen	G	1
Paraformaldehyde	30525-89-4	Paraform	S	100
Paraquat	1910-42-5	Crisquat, Gramoxone, Methyl, Vilogen, Pathclear	S	1
Paraquat methosulfate	2074-50-2	Paraquat Dimethyl Sulfate, Gramoxone	S	1
Parathion	56-38-2	Ethyl Parathion, Alkron, Phoskil, Panthion, Phosphenol	L	1
Parathion methyl	298-00-0	Azophos, Dalf, Metaphos, Metacide, Metron, Nitrox, Wofotox	S	100
Paris green	12002-03-8	Basle Green, Pigment Green 21, Cupric acetoarsenite	S	100
Penol, 2,2'-thiobis [4-chloro-	4418-66-0	Chlorbisan, Orbisan	S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
6-methyl]				
Pentaborane	19624-22-7	Pentaboron Nonahydride	L	1
Pentachloroethane	76-01-7	Pentalin, Ethane Pentachloride	L	1
Pentachlorophenol	87-86-5	Chem-Tol, Chloropnen, Penta, Weedone, Permacide	S	10
Pentadecylamine	2570-26-5	1-Pentadecanamine	S	1
Peracetic acid	79-21-0	Peroxyacetic Acid, Acetyl Hydroperoxide	L	1
Perchloromethylmercaptan	594-42-3	Trichloromethane sulfenyl chloride	L	100
Petroleum Distillates and Residues			L	10
(a) light crude and light distilates (petroleum ether, gasoline, naptha, Stoddard's solvent, mineral spirits, petroleum spirits, ligroin, benzin(e);				
(b) kerosene, diesel oil (light or heavy), #2 fuel oil;			L	100
(c)#4 and heavier fuel oils, heavy crude oil and residues.			L	500
Phenol	108-95-2	Carbolic Acid, Izal, Phenyl Alcohol	S	100
Phenol, 3-(1-methylethyl)-ethyl)-Methylcarbamate	64-00-6	m-Cumenyl methyl carbanate, Hercules 5727	S	1
Phenol,2,2-thiobis{4,6-dischloro-}	97-18-7	Actamer, Bidiphen, Bithionol, Bitin, Lorotheidel, Neopellis	S	1
Phenoxarsine, 10,10'-oxydi	58-36-6	Estabex ABF	S	1
Phenyl dichloroarsine	696-28-6	Phenylarsinedichloride	L	1
Phenylhydrazine hydrochloride	59-88-1	Phenylhydrazine Monohydrochloride	S	1
Phenylmercury acetate	62-38-4	Mersolite, Liquiphene, Dyanacide, Algimycin, Trigosan	S	100
Phenylsilatrane	2097-19-0		S	1
Phenylthiourea	103-85-5	Phenylthiocarbamide	S	100
Phorate	298-02-2	Thimet, Granotox, Rampart, Vegfru, Foratox, Vergfru	L	10
Phosacetim	4104-14-7	Gophacide, Phosazetim	S	1
Phosfolan	947-02-4	Cyolane, Cayolan, Cylan, Cyolan	S	1
Phosgene	75-44-5	Carbonyl Chloride, Chloroformyl Chloride	G	10
Phosmet	732-11-6	Prolate, Imidan, Decemthion, Ftalophos, Percolate	S	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Phosphamidon	13171-21-6	Dimecron, Dixon, Famfos, Merkon, Sundaram	L	1
Phosphine	7803-51-2	Celphos, Delicia, Hydrogen Phosphide, Detia Phosphorous Trichloride	G	100
Phosphonothioic acid methyl-S-(2-bis(1-methylethylamino)ethyl)O-ethyl ester	50782-69-9		L	1
Phosphonothioic, acid, dimethyl 4-(methylethio)phenyl ester	2665-30-7	CP40294	L	1
Phosphonothioic, acid, methyl-, O-ethyl O-(4-methyrthio) phenyl	2703-13-1	Bayer 29952	L	1
Phosphoric acid	7664-38-2		L	100
Phosphoric acid, dimethyl	3254-63-5		L	1
Phosphorus	7723-14-0	Rat-Nip, Bonide Blue Death Ratkiller, Exolit, LPK	S	1
Phosphorous oxychloride	10025-87-3	Phosphoric trichloride, Phosphorus Oxytrichloride	L	100
Phosphorus pentachloride	10026-13-8	Phosphoric Perchloride, Phosphorus (V) Chlorid	S	1
Phosphorus pentoxide	1314-13-8	Phosphoric Acid Anydride, Phosphorous (V) Oxid	S	1
Phylloquinone	84-80-0	Vitamin K1, Synthex P, Kepthon, Aquamephyton	L	1
Physostigmine	57-47-6	Calabarine, Esgrine, Esromiotin, Ezerin, Physost	S	1
Physostigmine salicylate (1:1)	57-64-7	Eserine Salicylate, Physostol Salicylate	S	1
Picrotoxin	124-87-8	Cocculus, Indian Berry, Cocculin, Fish Berry	S	1
Piperidine	110-89-4	Azacyclohexane, Cylopentimine, Cypentil	L	1
Piprotal	5281-13-0	Heliotropin Acetal, Tropital	S	1
Pirmifos-ethyl	23505-41-1	Fernex, Pieimifosethyl, Primicid, Primotec, Pinicid	L	1
Platinous chloride	10025-65-7	Platinum Chloride, Muriate of Platinum	S	1
Platinum tetrachloride	13454-96-1	Platinum (IV) Chloride, Platinic Chloride	S	1
Polychlorinated Biphenyls	1336-36-3	PCBs, Aroclors	L	10
Phosphorus trichloride	7719-12-2	Trichlorophosphine	L	100
Potassium arsenite	10124-50-2	Potassium Metaarsenite, Fowler's	S	1,000

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
		Solution		
Potassium cyanide	151-50-8	Cyanide ofj Potassium	S	10
Potassium hydroxide	1310-58-3	Caustic potash	S,L	1
Potassium silver cyanide	506-61-6	Potassium Argentocyanide, Potassium Dicyanoargentate	S	1
Promecarb	2631-37-0	Carbamult, Promecarb	S	1
Propargyl bromide	106-96-7	3-Bromo-Propyne, gamma-Bromoallylene	L	1
Propiolactone, beta-	57-57-8	2-Oxetanone, Betaprone, 3-Hydroxypropiionic	L	1
Propionitrile	107-12-0	Cyanoethane, Ether Cynatus, Ethyl cyanide, Propylnitrite	L	10
Propionitrile, 3-chloro-	542-76-7	3-Chloropropanonitrile, 1-chloro-2-cyanoethane	L	100
Propyl chloroformate	109-61-5	Propyl Chlorocarbonate	L	1
Propylene glycol, allyl ether	1331-17-5	Propanol, Allyloxy, 1,2-Propanediol, Allyl Ether	L	1
Propylene oxide	75-56-9	1,2-Epoxypropane, Methyl Oxirane, Propylene	L	100
Propyleneimine	75-55-8	2-Methyl Aziridine, 2-Methylazacyclopropane	L	1
Prothoate	2275-18-5	Trimethoate, Fostion, Oleofac, Prothoat, Telef	S	1
Pseudocumene	95-63-6	1,2,4-Trimethylbenzene, Pseudocumol, psicumen	L	1
Pyrene	129-00-0	Benzo {d,e,f,} henanthrene, beta-Pyrene	S	1,000
Pyridine, 2-methyl-5-vinyl	140-76-1	2-Picoline 5-vinyl, 2-Methyl-5-Ethylpyridine	L	1
Pyridine, 4-amino-	504-24-5	Aritrol, p-Aminopyridine, 4-Pyradinamine	S	1,000
Pyridine, 4-nitro-, 1-oxide	1124-33-0	4-Nitro-Pyridine-N-Oxime	S	1
Pyriminil	53558-25-1	VACOR, DLP-87, DLP787	S	1
Reactive Substances			S,L, G	100
Rhodium trichloride	10049-07-7	Rhodium (II) Chloride, Rhodium Chloride	S	1
Salcomine	14167-18-1	Salcomine, Salcomine Powder	S	1
Sarin	107-44-8	Trilone 46, Isopropyl Methyl Fluorophosphate	L	1
Selenium oxychloride	7791-23-3	Seleninyl chloride, Selenynyl Dichloride	L	1
Selenous acid	7783-00-8	Senenious Acid, Monohydrated Selenium Dioxide	S	10

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Semicarbazide hydrochloride	563-41-7	Amidourea Hydrochloride, Hydrazine Carboxamide Hydrochloride	S	1
Silane, (4-aminobutyl) diethoxymethyl-	3037-72-7	Deita-Aminobutylmethyldiethyloxysilane	L	1
Silvex	93-72-1	2,4,5-TP acid	L	100
Sodium anthraquinone-1-sulfonate	128-56-3		S	1
Sodium arsenate	7631-89-2	Sodium Orthoarsenate, Fatsco Ant poison, Sweeney's Ant Go	S	100
Sodium arsenite	7784-46-5	Sodium Metaarsenite, Kill-All, Penite, Prodalumol, Atlas 'A'	S	100
Sodium azide (Na(N ₃))	26628-22-8	Azide, Azium, Kazoe, Smite	S	1
Sodium cacodylate	124-65-2	Silvisar, Arsycodile, Alkarsodyl, Ansar 160	S	1
Sodium cyanide (Na(CN))	143-33-9	Cyanogran, Cymag	S	10
Sodium fluoroacetate	62-74-8	Fratol, Furatol, Compd 1080, Yasoknock, Ratbane 1080	S	10
Sodium hydroxide	1310-73-2	Caustic Soda, Caustic	S,L	100
Sodium hypochlorite	7681-52-2		S,L	100
Sodium pentachlorophenate	131-52-2	Pentaphenate, Santobrite, Weedbeads, Dowicide G	S	1
Sodium selenate	13410-01-0	Disodium Selenate, Sel-Tox SS02	S	1
Sodium selenite	10102-18-8	Disodium Selenite, Disodium Selenium trioxide	S	100
Sodium tellurite	10102-20-2	Sodium Tellurate (IV)	S	1
Solfoxide, 3-chloropropyl octyl	3569-57-1	MGK Repellent 1,207	L	1
Strychnine	57-24-9	Certox, Kwik-kill, Mouse-Rid, Sanaseed, Strychnos, Mouse Nots	S	10
Strychnine, sulfate	60-41-3	Strychnidin-10-one, Sulfate (2:1)	S	1
Styrene	100-42-5	Phenylethylene	L	100
Sulfotep	3689-24-5	Dithion, Dithiofos, Bladafum, Thiotep, Pirofos	L	100
Sulfur dioxide	7446-09-5	Sulfur oxide, Sulfurous Anhydride	G	1
Sulfur tetrafluoride	7783-60-0	Sulfur Fluoride §(SF ₄), Tetrafluorosulfurane	G	1
Sulfur trioxide	7446-11-9	Sulfan, Sulfuric Anhydride, Sulfuric oxide	S	1
Sulfuric acid	7664-93-9	Battery Acid, Dipping Acid, Oil of Vitrol, Hydrogen Sulfate	L	100
Sylylene dichloride	28347-13-9	Bis-Chloromethyl Benzene, Xylylene Chloride	S	1
Tabun	77-81-6		L	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Tellurium	13494-80-9	Aurum Paradoxum, Metallum Problematum	S	1
Tellurium hexafluoride	7783-80-4	Tellurium Fluoride(TeF6)	G	1
Tepp	107-49-3	Tetraethyl Diphosphate, Tetron, Hexamite, Killax	L	10
Terbufos	13071-79-9	Counter	L	1
1,1,1,2-Tetrachloroethane	79-34-5	Unsymmetric tetrachloroethane	L	1
1,1,2,2,-Tetrachloroethane	630-20-6	Acetylene tetrachloride	L	100
Tetrachloroethylene	127-18-4	Perchloroethylene, Perc	L	1
Tetrachlorobenzene	95-94-3	Benzene tetrachloride	L	100
Tetrathyltin	597-64	Tetraethylstannane	L	1
Thallic oxide	1314-32-5	Dithallium Trioxide, Thallium (III) Oxide, Thallium Sesquioxide	S	100
Thallium sulfate	10031-59-1	Ratox, Zelid	S	100
Thallos carbonate	6533-73-9	Thallium (I) Carbonate, Dithallium Carbonate, Thallium Carbonate	S	100
Thallos chloride	7791-12-0	Thallium (I) Chloride, Thallium Monochloride, Thallium Chloride	S	100
Thallos malonate	2757-18-8	Formomalenic Thallium, Propanedioic Acid, Dithallium Salt	S	1
Thallos sulfate	7446-18-6	Thallium (I) Sulfate, Dithallium Sulfate	S	100
Thiocarbazide	2231-57-4	1,3-Diamino-2 Thiourea, Thiocarbonic Dihydrazide	S	1
Thiocyanic acid, 2-(benzothiazolythio methyl ester)	21564-17-0	Busan 30, Busan 72, Ichiban	L	1
Thiofanox	39196-18-4	Decomax	S	100
Thiometon	640-15-3	Ekatin, Intrathion, Intration, Luxistelm, Thiameton	L	1
Thionazin	297-97-2	Cynem, Nemafos, Nemaphos, Nematocide, Zinophos	L	100
Thiosemicarbazide	79-19-6	1-Amino-2-Thiourea, Thiocarbamoylhydrazine, Hydrazinecarbothioamite	S	100
Thiourea,(2-chlorophenyl)	5344-82-1	(o-Chlorophenyl) Thiourea	S	100
Thiourea,(2-methylphenyl)	614-78-8	1-o-Tolyl-2-Thiourea	S	1
Titanium tetrachloride	7550-45-0	Tetrachlorotitanium, Titanic Chloride, Titanium Chloride	L	1
Toluene	108-88-3	Methylbenzene	L	100
Toluene 2,4-diisocyanate	584-84-9	Hylene TM, Mondur TD, Niax TDI, Nacconate 100	L	100
Toluene 2,6-diisocyanate	91-08-7	Hylene TM, Niax TDI	L	100
Toxaphene	8001-35-2	Octachlorocamphene	L	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Trans-1,4-dichlorobutene	110-57-6	1,4-Dichloro-2-Butene, 1,4-Dichloro-trans-2-Butene	L	1
Triamiphos	1031-47-6	Triamphos, Wepsin, Wepsyn	S	1
Triazofos	24017-47-8	Hostathion, Triazophos	L	1
Trichloroacetyl chloride	76-02-8	Trichloroacetic Acid Chloride, Trichloro-acetochloride	L	1
Trichloro(chloromethyl) silane	1558-25-4	(Chloromethyl)Trichlorosilane	L	1
Trichloro(dichlorophenyl) silane	27137-85-5	(Dichlorophenyl)Trichlorosilane	L	1
1,1,1-Trichloroethane	71-55-6	Methyl chloroform	L	100
1,1,2-Trichloroethane	79-00-5	Vinyl trichloride	L	1
Trichloroethylene	79-01-6	Trichloroethene, TCE	L	100
Trichloroethylsilane	115-21-9	Ethyltrichlorosilane, Ethyl Silicon Trichloride	L	1
Trichloromonofluoromethane	75-69-4	Trichlorofluoromethane	L	100
Trichloronate	327-98-0	Agrisil, Agritox, Fenophosphon, Fitosol, Phytosol	L	1
Trichlorophenols	25167-82-2		S	10
2,4,5-Trichlorophenoxy acetic acid	93-76-5	2,4,5-T	L	1,000
Trichlorophenylsilane	98-13-5	Phenyltrichlorosilane, Silicon Phenyl Trichloride Richloronate	L	1
2,4,6-Trinitrophenol	88-89-1	Picric Acid	S	1
Trichlorophon	52-68-6	Phoschlor, Prolox, Soldep, Trichlorophene, Trinex, Tugon	S	100
Triethoxysilane	998-30-1		L	1
Trimethylolchlorosilane	75-77-4	Trimethylsilyl Chloride, Chlorotrimethylsilane	L	1
Trimethyltin chloride	1066-45-1	Chlorotrimethyl Stannane, Chlorotrimethyltin	S	1
Trimethylolpropane phosphite	824-11-3		S	1
Trinitrobenzene	99-35-4	Trinitrobenzol	S	1
Triphenyltin Chloride	639-58-7	Brestanol, Chlorotriphenyltin, Fentin Chloride, Tinmate	S	1
Tris(2-chloroethyl)amine	555-77-1	2,2,2"-Trichlortotriethylamine	L	1
Valinomycin	2001-95-8	Antibiotic N-329 B, Vanilomicin	S	1
Vanadium pentoxide	1314-62-1	Vanadic Anhydride, Divanadium Pentoxide	S	100
Vinyl acetate monomer	108-05-4	Vinyl Acetate HQ, Vyac, Zesett, Ethenyl Acetate	L	100
Vinyl chloride	75-01-4	Chloroethane, Chlorethylene	L	1
Vinylnorbornene	3048-64-4	5-Vinyl-2-Norborene, 2,-Vinylnorborene	L	1

Hazardous Substance	Case No.	Trade Names & Synonyms	Amb Phy. State	RQ (lbs)
Warfarin	81-81-2	200 Coumarin, Athrombine-K, Coumadin, Coumafen, Ratoxin	S	100
Warfarin sodium	129-06-6	Anthrombin, Coumadin Sodium, panivarfin, Panwarfin, Waran	S	1
Xylene	1330-20-7	Dimethylbenzene	L	100
Xylenol	1300-71-6	Dimethylphenol	L	100
Zinc cyanide	557-21-1		S	100
Zinc dichloro(4,4-dimethyl-5(((methylamino)cabonyl oxy)imino)pentanenitrile	58270-08-9		S	1
Zinc phosphide	1314-84-7	Blue-Ox, Delusal, Kilrat, Mouscon, Phosvin, Rumetan, Stutox	S	100

TITLE V
ADMINISTRATIVE PROCEEDINGS

Section 500 **Applicability**

- a This Title shall apply to all administrative proceedings brought at the request of a responsible person pursuant to § 24-610(a)(4) of the Administrative Code.

- b This Title shall not apply if the Commissioner:
 - 1. issued no order; or

 - 2. has determined pursuant to § 24-610(a)(4) that response measures are to be implemented without any delay.

Section 510 **Request for Hearing**

- a A responsible person who has been served with an order issued by the Commissioner pursuant to § 24-608 and § 24-610 of the Administrative Code, may submit a written request for a hearing within ten (10) working days of service of such order.

- b The request for a hearing shall be served personally or by certified or registered mail, to the following address:

NYC Department of Environmental Protection
Office of General Counsel, 19th fl.
59-17 Junction Blvd
Flushing, NY 11373

Attn: Hazardous Substances
 Emergency Response Attorney

- c The request for a hearing shall state with specificity:
 - 1 the date of service of the Commissioner's order to the responsible person;

 - 2 the location of the site which is the subject of the order;

 - 3 the substance which was released or may be released;

 - 4 the action ordered to be taken;

- 5 the reason for requesting a hearing; and
 - 6 an address for subsequent service of documents.
- d The request for a hearing, when made within the time specified, shall constitute a stay against compliance with the Commissioner's order. However, nothing in this Title shall preclude or affect the authority of the Commissioner to implement response measures deemed to be necessary to protect the public health or welfare or the environment from a release or threat of release of a hazardous substance.

Section 520 Commissioner's Response to Request of Hearing

- a Within ten (10) working days of service of a request for a hearing the Commissioner shall either deny the request, or require the submission of additional information in support of the request, or grant the request.
- b The Commissioner's response to a request for a hearing shall be served on the responsible person who made the request, personally or by certified or registered mail within the prescribed time period, to the address provided in the request for hearing or, if no such address was provided, to the address at which the Commissioner's order was served.

Section 521 Denial of Request

- a The Commissioner shall give specific reason for denying the request for a hearing in his/her written response.
- b Service of such denial shall end the stay against compliance with the Commissioner's order. The responsible person shall thereafter be subject to the enforcement of § 24-610 and any other applicable provisions of the Administrative Code.

Section 522 Response Requesting Additional Information

- a Service of the Commissioner's response requesting additional information shall continue the stay against compliance with the Commissioner's order, pending resolution of the request for hearing.
- b The responsible person's answer shall be served personally or by certified or registered mail to the address in Section 510(b), within ten (10) days of service of the Commissioner's response. Such answer shall be deemed a request for hearing for purposes of Section 520.
- c Failure to answer within the specified time shall end the stay against compliance with the Commissioner's order. The responsible person shall thereafter be subject to the enforcement of § 24-610 and any other applicable provisions of the Administrative Code.

Section 523 Grant of Request

- a The Commissioner shall set forth a time and place for the hearing in his/her written response.
- b The time set for the hearing shall be no more than fifteen (15) working days from the date of service of the Commissioner's response granting the hearing

Section 530 Default

- a A responsible person who fails to appear at the hearing granted in response to that person's request may have the issue of his/her challenge to the Commissioner's order resolved against him/her.
- b Service of notice of default shall be made upon the responsible person, either personally or by certified or registered mail, at the address provided in the request for hearing or, if no such address was provided, the address at which the Commissioner's order was served, and such service shall end the stay against compliance with the Commissioner's order. The responsible person shall thereafter be subject to the enforcement of § 24-610 and any other applicable provisions of the Administrative Code.

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- c Application to Reopen
 - 1 The hearing officer may open a default or relieve any party of the consequences of the default upon good cause shown, where written application is served personally or by certified or registered mail to the address in Section 510(b), within seven (7) working days of service of notice of default.
 - 2 Such written application when made within the time specified, shall constitute a stay against compliance with the Commissioner's order pending resolution of the application.
 - 3 If the hearing officer decides that a hearing should be held on the merits, such hearing shall be held and the manner decided as if the default had not been issued.

Section 540 Hearing Procedures

- a The burden of proof shall be on the responsible person to show by a preponderance of relevant evidence why the order should either be revoked or modified.
- b The responsible person shall be entitled to be represented by counsel and to present evidence as to why the Commissioner should either revoke or modify the order.
- c Testimony given and other proceedings had at a hearing shall be recorded verbatim. For this purpose, the Department may use whatever means it deems appropriate, including but not limited to the use of stenographic transcriptions or recording devices.
 - 1 Depending on the means used, a copy of the Department's transcription may be available to the responsible person at his/her own expense.
 - 2 When such a copy will not be available, the responsible person may arrange for a transcription at her/his own expense.

Section 550 Hearing Officer

- a The Commissioner shall designate a hearing officer as her/his representative for the purpose of conducting fair and impartial hearing under this Title. Such officer shall not be a person who participated in the drafting of the order.

- b
 - 1 The hearing officer shall have power to:
 - A rule upon motions and requests;
 - B set the time and place of hearing;
 - C administer oaths and affirmations;
 - D summon and examine witnesses;
 - E admit or exclude evidence;
 - F hear argument on facts or law;
 - G do all acts and take all measures necessary for the maintenance of order and efficient conduct of the hearing.

 - 2 The hearing officer's exercise of such powers may be reviewed by the Commissioner upon submission of the hearing officer's report.

- c The hearing officer shall admit all relevant, competent, and material evidence, except where such evidence is unduly repetitious, or where its value as proof is substantially outweighed by a potential for unfair prejudice, confusion of the issue, undue delay, waste of time or needless presentation of the repetitious or duplicative evidence. The applications of the rules of evidence shall be within the hearing officer's discretion.

- d Report
 - 1 The hearing officer shall prepare and submit a report to the Commissioner for his/her review.

 - 2 Such report shall be submitted within ten (10) working days of the close of the record. The record shall not be closed before the hearing officer receives the verbatim recording produced pursuant to § 540(c).

Section 560 Final Determination

- a Within a reasonable time after receipt of the hearing officer's report, the Commissioner shall make a final determination, based on the hearing officer's report and on the record, which may provide for affirmation, suspension, modification, or revocation of the order in issue, or any determination consistent with the applicable provisions of the Administrative Code, §24-601 et seq., and the rules and regulations promulgated thereunder.

- b A copy of the final determination and order shall be served personally or by certified or registered mail, to the responsible person who requested the hearing, at the address provided in the request for hearing or, if no such address was provided, the address at which the Commissioner's order was served.

- C At any time prior to issuance of the Commissioner's final determination, the Department of Environmental Protection may enter into a stipulation or consent order with the responsible person who requested a hearing. Such stipulation or consent order shall be admissible as evidence to provide the basis for a finding of fact in any subsequent proceeding brought by the Department of Environmental Protection against such responsible person.

EXPLANATION

The foregoing regulations are promulgated to implement Sections 24-609 and 24-610 of the Hazardous Substances Emergency Response Law.

In accordance with Section 1105(f) of the City Charter, these regulations shall be effective thirty-one days after the date of publication.

June 7, 1988

[signed by Jeffrey Somers for]
Harvey W. Schultz, Commissioner