

6 NYCRR Part 597 is amended as follows:

Subdivision 597.1(a) remains unchanged.

Subdivision 597.1(b)(2) remains unchanged.

Paragraph 597.1(b)(2) is amended to read as follows:597.3 List of hazardous substances.

Table 1 sets forth the list of hazardous substances in alphabetic order. Table 2 sets forth the list of hazardous substances in Chemical Abstract[s] Service (CAS) number order.

Section 597.4 is amended to read as follows:

597.4 Spills and Releases of hazardous substances.

(a) *Prohibition of releases.* The [release]spilling of a hazardous substance [which is required to be reported pursuant to subdivision 597.4(b)]is prohibited unless:

(1) such [release]spill is authorized;

(2) such [release]spill is continuous and stable in quantity and rate and has been reported pursuant to paragraph 597.4(b)(4); or

(3) such [release]spill is of fire-fighting foam containing Perfluorooctanoic Acid (CAS No. 335-67-1), Ammonium Perfluorooctanoate (CAS No. 3825-26-1), Perfluorooctane Sulfonic Acid (CAS No. 1763-23-1), or Perfluorooctane Sulfonate (CAS No. 2795-39-3) used for fighting fires (but not for training purposes) and occurs on or before April 25, 2017. In the event there is a [release]spill of such foam that exceeds the reportable quantity of any hazardous substance, the [release]spill must be reported pursuant to subdivision (b) of this section.

(b) *Reporting of [releases]spills.*

(1) With the exception of spills described in paragraph (3) of this subdivision, the following [releases]spills of a hazardous substance, that is covered under [section]clauses 597.1(b)(7)(i)(a) or (b) of this Part, must be reported to the [D]department's Spill Hotline ([518]800-457-7362) within two hours after discovery by any person in

actual or constructive control or possession of the hazardous substance when it is [released]spilled, or any employee, agent, or representative of such person who has knowledge of the [release]spill:

- (i) the [release]spill of a reportable quantity that occurs within any [24]twenty-four-hour period;
- (ii) the [release]spill of a quantity that is less than a reportable quantity if any of the following conditions exist:
  - (a) such [release]spill results, or may reasonably be expected to result, in a fire[with potential off site impacts];
  - (b) such [release]spill results, or may reasonably be expected to result, in an explosion;
  - (c) such [release]spill results, or may reasonably be expected to result, in [a contravention]the violation of air quality standards;
  - (d) such [release]spill results, or may reasonably be expected to result, in vapors, dust and/or gases that may cause illness or injury to persons, not including persons in a building where a release originates; or
  - (e) runoff from fire control or dilution waters may reasonably be expected to result in or contribute to a [contravention]violation of water quality standards.

(2) A [release]spill of a hazardous substance mixture is subject to the following reporting requirements:

- (i) If the quantity of the hazardous constituents of the hazardous substance mixture is known, notification is required where a reportable quantity or more of any [individual]hazardous constituent is released.
- (ii) If the quantity of [one or more of]the hazardous constituent(s) of the hazardous substance mixture is unknown, reporting is required where the total amount of the mixture released equals or exceeds the reportable quantity for the hazardous constituent with the lowest reportable quantity.

(3) Notwithstanding the provisions of paragraph (1) of this subdivision, it is not necessary to report a spill of a reportable quantity of a hazardous substance [within two hours after discovery] if all of the following conditions are met:

- (i) there is control over the spill and it is completely contained;
- (ii) the spill has not and will not reach the land or waters of the State;

- (iii) the spill is cleaned up within two hours after discovery;
  - (iv) the total volume of the spill is recovered or accounted for; and
  - (v) the spill will not result in any of the conditions listed in [clauses (1)(ii)(a)-(e)]subparagraph (b)(1)(ii) of this subdivision.
- (4) It is not necessary to report the release of a hazardous substance that is continuous and stable in quantity and rate, provided that the person responsible for reporting the release submits to the [D]department a duplicate of the written notification made to the United States Environmental Protection Agency pursuant to 40 CFR section 302.8. This submission must be made at the same time as the notification is submitted to the United States Environmental Protection Agency.

Part 597 Table 1 and Table 2 are amended to read as follows:

Table 1: Hazardous Substances – Sorted by Name

CASRN	Substance	RQ Air	RQ Land/ Water	Notes
122-42-9	Carbamic acid, phenyl-, 1-methylethyl ester	1000	1	<u>A</u>
3165-93-3	4-Chloro-o-toluidine hydrochloride	100	1[0]	
107-30-2	Chloromethyl methyl ether	10	1	<u>A</u>
[62207-76-5] [7440-48-4]	Cobalt	1	1	A
7446-27-7	Lead phosphate	1[0]	1[0]	
107-30-2	Methane, chloromethoxy-	10	1	<u>A</u>
4418-66-0	Phenol, 2,2'-thiobis(4-chloro-6-methyl-	1	1	<u>A</u>
108-98-5	Phenylmercaptan	100	100	<u>A</u>
4104-14-7	Phosacetim	1	1	<u>A</u>
7786-34-7	Phosdrin	10	1	<u>A</u>
947-02-4	Phosfolan	1	1	<u>A</u>
79-10-7	2-Propenoic acid	5000	10[0]	
56-53-1	4,4'-Stilbenediol, alpha,alpha'-diethyl-	1[0]	1	
72-57-1	Trypan Blue	10	1[0]	

Table 2: Hazardous Substances – Sorted by CAS Number

CASRN	Substance	RQ Air	RQ Land/ Water	Notes
56-53-1	4,4'-Stilbenediol, alpha,alpha'-diethyl-	1[0]	1	
72-57-1	Trypan Blue	10	1[0]	
79-10-7	2-Propenoic acid	5000	10[0]	
107-30-2	Chloromethyl methyl ether	10	1	<u>A</u>
107-30-2	Methane, chloromethoxy-	10	1	<u>A</u>
108-98-5	Phenylmercaptan	100	100	<u>A</u>
122-42-9	Carbamic acid, phenyl-, 1-methylethyl ester	1000	1	<u>A</u>
947-02-4	Phosfolan	1	1	<u>A</u>
3165-93-3	4-Chloro-o-toluidine hydrochloride	100	1[0]	
4104-14-7	Phosacetim	1	1	<u>A</u>
4418-66-0	Phenol, 2,2'-thiobis(4-chloro-6-methyl-	1	1	<u>A</u>
[62207-76-5] <u>7440-48-4</u>	Cobalt	1	1	A
7446-27-7	Lead phosphate	1[0]	1[0]	
7786-34-7	Phosdrin	10	1	<u>A</u>