CF₃I has a weight and volume equivalence to Halon 1211 of 0.94 and 0.97 respectively. While it is potentially a 'drop-in' replacement for Halon 1211, with some modifications in elastomers or other system materials, there exists a question as to whether current technical standards allow the reuse of halon 1211 canisters for other chemicals. Both the National Fire Protection Association (NFPA) standard and UL listings should be examined in this context.

Cardiosensitization data received by the Agency indicate that CF₃I has a NOAEL of 0.2 per cent and a LOAEL of 0.4 per cent. Previous studies of exposure to streaming agents indicate that actual exposure to a trained firefighter in a well-ventilated area will not exceed these values. However, the manufacturer is required to conduct personal monitoring tests to verify exposure levels in scenarios representative of its potential market prior to receiving a final SNAP acceptability listing. Because of the low cardiosensitization values, EPA is proposing to prohibit use of this agent in consumer residential applications where the possibility of incorrect use by untrained users is high.

D. Aerosols

- 1. Acceptable Subject to Use Conditions
- a. Solvents
- (1) Monochlorotoluenes/ Benzotrifluorides

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC-113 and MCF as aerosol solvents. These two classes of chemicals are being sold as blends for aerosol applications. Of all the structures of commercial interest, the only chemical with an Occupational Health and Safety Administration (OSHA) standard is orthochlorotoluene. one of the monochlorotoluenes. This substance has an OSHA Permissible Exposure Level (PEL) of 50 ppm. Using this standard as a proxy, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes as a group. None of the benzotrifluorides has a PEL. Based on a toxicological study recently completed by the company interested in commercialization of these chemicals, the Agency is proposing to set a workplace standard of 25 ppm for benzotrifluorides. Companies intending to use monochlorotoluene/ benzotrifluoride mixtures should take the inherent hazard of these chemicals into account in implementing applications.

These workplace standards are designed to protect worker safety until

the Occupational Safety and Health Administration (OSHA) sets its own standards under P.L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in P.L. 91–596.

E. Adhesives, Coatings and Inks

- 1. Acceptable Subject to Use Conditions
- a. Monochlorotoluenes/ Benzotrifluorides

Monochlorotoluenes/benzotrifluorides are proposed acceptable subject to use conditions as substitutes for CFC-113 and MCF in adhesives, coatings, and inks. These two classes of chemicals are being sold as blends for these applications. Of all the substances of commercial interest, the only chemical with an Occupational Health and Safety Administration (OSHA) standard is orthochlorotoluene, one of the monochlorotoluenes. This substance has an OSHA Permissible Exposure Level (PEL) of 50 ppm. Using this standard as a proxy, the Agency is proposing to set a workplace standard of 50 ppm for monochlorotoluenes as a group. None of the benzotrifluorides has a PEL. Based on a toxicological study recently completed by the company interested in commercialization of these chemicals, the Agency is proposing to set a workplace standard of 25 ppm for benzotrifluorides. Companies intending to use monochlorotoluene/ benzotrifluoride mixtures should take the inherent toxicity of these chemicals into account in implementing applications.

These workplace standards are designed to protect worker safety until the Occupational Safety and Health Administration (OSHA) sets its own standards under P.L. 91–596. The existence of the EPA standards in no way bars OSHA from standard-setting under OSHA authorities as defined in P.L. 91–596.

IV. Administrative Requirements

A. Executive Order 12866

Under Executive Order 12866, [58 FR 51735, October 4, 1993] the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may: (1) have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or

safety, or State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order."

Pursuant to the terms of Executive Order 12866, OMB notified EPA that it considers this a "significant regulatory action" within the meaning of the Executive Order and EPA submitted this action to OMB for review. Changes made in response to OMB suggestions or recommendations have been documented in the public record.

B. Unfunded Mandates Act

Section 202 of the Unfunded Mandates Reform Act of 1995 requires EPA to prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by state, local, and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year. Section 203 requires the Agency to establish a plan for obtaining input from and informing any small governments that may be significantly or uniquely affected by the rule. Section 205 requires that regulatory alternatives be considered before promulgating a rule for which a budgetary impact statement is prepared. The Agency must select the least costly, most cost-effective, or least burdensome alternative that achieves the rule's objectives, unless there is an explanation why this alternative is not selected or this alternative is inconsistent with law.

Because this final rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of less than \$100 million in any one year, the Agency has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Because small governments will not be significantly or uniquely affected by this rule, the Agency is not required to develop a plan with regard to small governments. However, the rule has the net effect of reducing burden from part 82, Stratospheric Protection regulations, on regulated entities.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 604(a), applies to any rulemaking