sludges studied by the Agency. Therefore, the Agency finds that these sludges do not meet the definition of hazardous waste, and is exempting these sludges derived from K156 and K157 wastes from the definition of hazardous wastes, provided the wastes are not otherwise characteristically hazardous. EPA believes that this exemption is particularly appropriate because of the small number of facilities in this industry and the Agency's thorough investigation of carbamate wastes.

B. Appendix VII and Appendix VIII

In the March 1, 1994 proposed rule, the Agency had proposed the listing of acetone, hexane, methanol, methyl isobutyl ketone, and xylene as part of the basis for listing of one or more hazardous wastes in part 261 appendix VII and as hazardous constituents for addition to part 261 appendix VIII. Because these constituents were not significant in the Agency's multipathway risk assessment, the Agency is not finalizing the addition of acetone, hexane, methanol, methyl isobutyl ketone, and xylene to part 261 appendix VII. Furthermore, because these constituents are no longer significant to the carbamate industry, and their addition to appendix VIII could have far reaching impact, the Agency is also not adding these solvents to appendix VIII.

In reassessing the basis for listing, the Agency discovered that although formaldehyde in K156 wastes had demonstrated significant risks via the direct inhalation pathway (59 FR 9827) it was inadvertently omitted from the appendix VII basis of listing in the **Federal Register** notice for the proposed rule. The presence and risks attributed to formaldehyde in K156 waste are clearly documented in the proposal. The Agency has corrected this omission and added formaldehyde to the appendix VII basis for listing of K156. The Agency is also correcting the inadvertent omission of antimony and arsenic to the appendix VII basis of listing for K161 (see 59 FR 9830 and 9835).

Commenters also brought to the Agency's attention, that Agency had not listed the generic listings of carbamates, carbamoyl oximes, thiocarbamates, or dithiocarbamates, N.O.S. to appendix VIII. Based on either direct toxicological studies or the extrapolation of existing studies to the chemical group, the Agency finds each member of these groups may exhibit toxicological properties or degrade to other known toxic substances. As stated previously, the Agency is deferring the addition of the generic U360 through U363 listings until comment is taken of options to narrow their scope. This inadvertent omission of addition of these categories to appendix VIII will be corrected in the future rulemaking. Therefore, the Agency has not finalized the addition of these generic descriptions to appendix VII.

C. Listing of Commercial Chemical Products

The March 1, 1994 notice (59 FR 9808) proposed the addition of 22 substances to 40 CFR 261.33(e). This final action adds 18 of the 22 substances to the list of acutely hazardous wastes. After evaluation of comments received, four substances (bendiocarb, thiophanate-methyl, thiodicarb, and propoxur), proposed for addition to 40 CFR 261.33(e) as acutely hazardous, are instead being added to 40 CFR 261.33(f) as toxic wastes when discarded. In each case, the Agency found that these four substances did not meet the § 261.11(a)(2) criteria for listing in § 261.33(e).

In the case of propoxur, the Agency has examined the more current inhalation studies provided, as well as additional studies performed on propoxur concentrates, and finds that these more recent studies indicate a 1-hour inhalation LC50 near, but greater than, 2 mg/L. The Agency was unable to document the quality of the prior study or all study protocols. Therefore, the EPA is finalizing the listing of propoxur as a U-waste, rather than as a ''P'' list waste, and designating propoxur as U411.

In the case of bendiocarb, thiophanate-methyl, and thiodicarb, it was noted that the Agency had based its decision on 4-hour exposure studies rather than 1-hour exposure studies consistent with the toxicological criteria of 40 CFR 261.11(a)(2). The Agency has reevaluated each of the compounds LC50 (1-hour) inhalation toxicity and based on these and the other toxicological results presented in the proposal is finalizing these three substances as toxic rather than acute hazardous wastes.

TABLE 1.—LIST OF PROPOSED ACUTE HAZARDOUS WASTES BEING ADDED AS TOXIC HAZARDOUS WASTES

Hazardous waste No.	Toxic hazardous wastes—CAS name (common name in parentheses)	CAS No.
U278	1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate (Bendiocarb)	22781–23–3
U409	Carbamic acid, [1,2-phenylenebis(iminocarbonothioyl)]bis-, dimethyl ester (Thiophanate-methyl)	23564–05–8
U410	Ethanimidothioic acid, N,N′-[thiobis[(methylimino)carbonyloxy]]bis-, dimethyl ester (Thiodicarb)	59669–26–0
U411	Phenol, 2-(1-methylethoxy)-, methylcarbamate (Propoxur)	114–26–1

The Agency believes that as proposed the generic listing descriptions may be overly broad. Therefore, the Agency is not finalizing at this time the four proposed generic U listings (U360 through U363). With regard to the generic listings, the Agency believes that each generic group exhibits significant toxicological properties either directly from the chemicals themselves or their potential degradation products and that the range of variability in these effects in each case may pose risks to human health and the environment. As a result, the Agency is not finalizing the generic U listings (U360 through U363) at this time, and will take comment at a future date on options to narrow the scope of the U360—U363 listings.

The Agency also evaluated the toxicological data for each waste proposed for addition to 40 CFR § 261.33(f). After review of the available toxicological data, 12 compounds were not considered to have adequate toxicological data or predicted toxicity values in the record to finalize these listings at this time. The Agency is deferring action on these 12 substances.

The Agency has performed a more rigorous quantitative structure activity relationship analysis (QSAR) to predict the aquatic toxicity of each of the 12 deferred chemicals. The results of the QSAR analysis supports the Agency's conclusion that carbamates, carbamoyl oximes, thiocarbamates, and dithiocarbamates are highly toxic to aquatic species. The results of these studies are presented in Table 2 and included in the Docket (see **ADDRESSES**). The Agency will present these studies and the methodology used for public