

RELEASE AND POLLUTION PREVENTION REPORT

APPENDIX A CHEMICAL ACTIVITY DEFINITIONS

Pursuant to the New Jersey Pollution Prevention Act (N.J.S.A. 13:1D-35 et seq.), and regulations adopted pursuant to the Worker and Community Right to Know Act at N.J.A.C. 7:1G-1 et seq., all facilities subject to the reporting requirements of Section 313 of the federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) [also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA)] are required to complete the New Jersey Release and Pollution Prevention Report for all substances found in Appendices B and C that were manufactured, processed, or otherwise used in excess of 10,000 pounds or the lower PBT threshold in calendar year 2003.

Manufacture means to produce, for on-site use, for sale or distribution, as a by-product, or as an impurity; to prepare; to import; or to compound any of the substances on the list. Import is defined as causing the substance to be imported into the customs territory of the United States. Do not overlook coincidental manufacture (e.g. as a byproduct or impurity) of the substance or compound categories (including, but not limited to, nitrate compounds, metal compounds, cyanide compounds, etc.).

Process in general, includes making mixtures, repackaging, or using a substance as a feedstock, raw material, starting material, or intermediate material for making another chemical. Processing also includes incorporating a substance into an article (e.g., using dyes to color fabric) or processing the substance as an impurity.

Otherwise Use means any use of a reportable substance, including a toxic substance contained in a mixture or other trade name product or waste, that is not covered by the terms "manufacture" or "process." Otherwise use of a substance does not include disposal, stabilization (without subsequent distribution in commerce), or treatment for destruction unless:

- (1) The toxic substance that was disposed, stabilized, or treated for destruction was received from off-site for the purposes of further waste management; or
- (2) The toxic substance that was disposed, stabilized, or treated for destruction was manufactured as a result of waste management activities on materials received from off-site for the purposes of further waste management activities. Relabeling or redistributing of the toxic substance where no repackaging of the substance occurs does not constitute otherwise use or processing of the substance.

Should you have further questions regarding completion of the RPPR, contact the DEP's Office of Pollution Prevention and Right To Know at (609) 777-0518.