

**Questions & Answers  
for the New Chemicals Program  
(Q&A)**

**U.S. Environmental Protection Agency  
Office of Pollution Prevention and Toxics  
Washington, DC 20460**

## Section 2: Exclusions

they are produced by physically mixing or by chemical reaction.

**202-4. Q.** Are alloys, inorganic glasses, ceramics, frits, and cements, including Portland cement, considered mixtures under TSCA?

**A.** Yes, alloys, inorganic glasses, ceramics, frits, and cements, including Portland cement, are considered statutory mixtures under TSCA. See [www.epa.gov/oppt/newchems/mixtures.txt](http://www.epa.gov/oppt/newchems/mixtures.txt). In general, a PMN is not required for these products. However, as stated in a note at 40 CFR §710.4(c)(2) and 40 CFR §720.30(b), the exclusion of these products applies only to the mixture and not to the chemical substances of which the mixture is comprised. Thus, any additive which is contained in a mixture, other than an impurity, should be included on the Inventory. The burden of reporting is incident on the manufacturers of any new chemical additive.

**202-5. Q.** Does the definition of mixture under TSCA include hydrates?

**A.** Yes. EPA views a hydrate as a mixture of water and the non-hydrated form of the substance. Hydrated forms of chemical substances are excluded from reporting if the corresponding anhydrous chemical substances are included on the Inventory. However, this provision does not apply to the products of discrete chemical reactions in which either water or a solvent is a reactant, e.g., water reacting with an ester to form an acid and an alcohol. See 40 CFR 720.3(u)(2).

**202-6. Q.** A submitter is manufacturing an alloy and the individual metals are on the Inventory, is a PMN required?

**A.** No, alloys are considered to be mixtures. As long as all the components comprising the mixture are on the Inventory, a PMN is not required. Intermetallic compounds of well-defined stoichiometry such as NbAl<sub>3</sub> are not considered alloys and should be reported. Inventory nomenclature guidance is available on this question at [www.epa.gov/oppt/newchems/mixtures.txt](http://www.epa.gov/oppt/newchems/mixtures.txt) in the paper entitled Toxic Substances Control Act Inventory Representation For Products Containing Two or More Substances: Formulated and Statutory Mixtures.

## 203 Non-isolated Intermediates

**203-1. Q.** What is a nonisolated intermediate?

**A.** Nonisolated intermediates are exempt from PMN per 40 CFR 720.30(h)(8). As defined at 40 CFR 720.3(w), a “nonisolated intermediate” is any intermediate that is not intentionally removed from the equipment in which it is manufactured, including the reaction vessel, and any equipment through which the chemical substance passes during a continuous flow