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(ii) *Exception*. Section 27.400(k)(2) does not require a State or local government agency to destroy information that the agency is required to preserve under State or local law.

§ 27.405 Review and preemption of State laws and regulations.

(a) As per current law, no law, regulation, or administrative action of a State or political subdivision thereof, or any decision or order rendered by a court under state law, shall have any effect if such law, regulation, or decision conflicts with, hinders, poses an obstacle to or frustrates the purposes of this regulation or of any approval, disapproval or order issued there under.

(1) Nothing in this part is intended to displace other federal requirements administered by the Environmental Protection Agency, U.S. Department of Justice, U.S. Department of Labor, U.S. Department of Transportation, or other federal agencies.

(2) [Reserved]

(b) State law, regulation or administrative action defined. For purposes of this section, the phrase "State law, regulation or administrative action" means any enacted law, promulgated regulation, ordinance, administrative action, order or decision, or common law standard of a State or any of its political subdivisions.

(c) *Submission for review*. Any chemical facility covered by these regulations and any State may petition the Department by submitting a copy of a State law, regulation, or administrative action, or decision or order of a court for review under this section.

(d) *Review and opinion*—(1) *Review*. The Department may review State laws, administrative actions, or opinions or orders of a court under State law and regulations submitted under this section, and may offer an opinion whether the application or enforcement of the State law or regulation would conflict with, hinder, pose an obstacle to or frustrate the purposes of this Part.

(2) *Opinion*. The Department may issue a written opinion on any question regarding preemption. If the question was submitted under subsection (c) of this part, the Assistant Secretary will notify the affected chemical facility and the Attorney General of the subject State of any opinion under this section.

(3) *Consultation with States*. In conducting a review under this section, the Department will seek the views of the State or local jurisdiction whose laws may be affected by the Department's review.

§ 27.410 Third party actions.

(a) Nothing in this part shall confer upon any person except the Secretary a right of action, in law or equity, for any remedy including, but not limited to, injunctions or damages to enforce any provision of this Part.

(b) An owner or operator of a chemical facility may petition the Assistant Secretary to provide the Department's view in any litigation involving any issues or matters regarding this Part.

APPENDIX A TO PART 27—DHS CHEMICALS OF INTEREST

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release -- Toxic	Release -- Flammables	Release -- Explosives	Theft -- CW/CWP	Theft -- WME	Theft -- EXP/IEDP	Sabotage/Contamination
Acetaldehyde		75-07-0	1.00	10,000						X					
Acetone cyanohydrin, stabilized		75-86-5					ACG	APA							X
Acetyl bromide		506-96-7					ACG	APA							X
Acetyl chloride		75-36-5					ACG	APA							X
Acetyl iodide		507-02-8					ACG	APA							X
Acetylene	[Ethyne]	74-86-2	1.00	10,000						X					
Acrolein	[2-Propenal] or Acrylaldehyde	107-02-8	1.00	5,000					X						
Acrylonitrile	[2-Propenenitrile]	107-13-1	1.00	10,000						X					
Acrylyl chloride	[2-Propenoyl chloride]	814-68-6	1.00	10,000						X					
Allyl alcohol	[2-Propen-1-ol]	107-18-6	1.00	15,000					X						
Allylamine	[2-Propen-1-amine]	107-11-9	1.00	10,000						X					
Allyltrichlorosilane, stabilized		107-37-9					ACG	APA							X
Aluminum (powder)		7429-90-5			ACG	100								X	
Aluminum bromide, anhydrous		7727-15-3					ACG	APA							X
Aluminum chloride, anhydrous		7446-70-0					ACG	APA							X
Aluminum phosphide		20859-73-8					ACG	APA							X
Ammonia (anhydrous)		7664-41-7	1.00	10,000					X						
Ammonia (conc. 20% or greater)		7664-41-7	20.00	20,000					X						
Ammonium nitrate, [with more than 0.2 percent combustible substances, including any organic substance calculated as carbon, to the exclusion of any other added substance]		6484-52-2	ACG	5,000	ACG	400					X			X	

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Ammonium nitrate, solid [nitrogen concentration of 23% nitrogen or greater]		6484-52-2			33.00	2000								X	
Ammonium perchlorate		7790-98-9	ACG	5,000	ACG	400					X			X	
Ammonium picrate		131-74-8	ACG	5,000	ACG	400					X			X	
Amyltrichlorosilane		107-72-2					ACG	APA							X
Antimony pentafluoride		7783-70-2					ACG	APA							X
Arsenic trichloride	[Arsenous trichloride]	7784-34-1	1.00	15,000	30.00	2.2			X			X			
Arsine		7784-42-1	1.00	1,000	0.67	15			X				X		
Barium azide		18810-58-7	ACG	5,000	ACG	400					X			X	
1,4-Bis(2-chloroethylthio)-n-butane		142868-93-7			CUM 100g							X			
Bis(2-chloroethylthio)methane		63869-13-6			CUM 100g							X			
Bis(2-chloroethylthiomethyl)ether		63918-90-1			CUM 100g							X			
1,5-Bis(2-chloroethylthio)-n-pentane		142868-94-8			CUM 100g							X			
1,3-Bis(2-chloroethylthio)-n-propane		63905-10-2			CUM 100g							X			
Boron tribromide		10294-33-4			12.67	45	ACG	APA					X		X
Boron trichloride	[Borane, trichloro]	10294-34-5	1.00	5,000	84.70	45			X				X		
Boron trifluoride	[Borane, trifluoro]	7637-07-2	1.00	5,000	26.87	45			X				X		
Boron trifluoride compound with methyl ether (1:1)	[Boron, trifluoro [oxybis (methane)]-,T-4-]	353-42-4	1.00	15,000					X						
Bromine		7726-95-6	1.00	10,000					X						
Bromine chloride		13863-41-7			9.67	45							X		
Bromine pentafluoride		7789-30-2					ACG	APA							X
Bromine trifluoride		7787-71-5			6.00	45	ACG	APA					X		X
Bromotrifluorethylene	[Ethene, bromotrifluoro-]	598-73-2	1.00	10,000						X					

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release -- Toxic	Release -- Flammables	Release -- Explosives	Theft -- CW/CWP	Theft -- WME	Theft -- EXP/IEDP	Sabotage/Contamination
1,3-Butadiene		106-99-0	1.00	10,000						X					
Butane		106-97-8	1.00	10,000						X					
Butene		25167-67-3	1.00	10,000						X					
1-Butene		106-98-9	1.00	10,000						X					
2-Butene		107-01-7	1.00	10,000						X					
2-Butene-cis		590-18-1	1.00	10,000						X					
2-Butene-trans	[2-Butene, (E)]	624-64-6	1.00	10,000						X					
Butyltrichlorosilane		7521-80-4					ACG	APA							X
Calcium hydrosulfite	[Calcium dithionite]	15512-36-4					ACG	APA							X
Calcium phosphide		1305-99-3					ACG	APA							X
Carbon disulfide		75-15-0	1.00	20,000					X						
Carbon oxysulfide	[Carbon oxide sulfide (COS); carbonyl sulfide]	463-58-1	1.00	10,000						X					
Carbonyl fluoride		353-50-4			12.00	45							X		
Carbonyl sulfide		463-58-1			56.67	500							X		
Chlorine		7782-50-5	1.00	2,500	9.77	500			X				X		
Chlorine dioxide	[Chlorine oxide, (ClO2)]	10049-04-4	1.00	1,000			ACG	APA	X						X
Chlorine monoxide	[Chlorine oxide]	7791-21-1	1.00	10,000						X					
Chlorine pentafluoride		13637-63-3			4.07	15							X		
Chlorine trifluoride		7790-91-2			9.97	45							X		
Chloroacetyl chloride		79-04-9					ACG	APA							X
2-Chloroethylchloro-methylsulfide		2625-76-5			CUM 100g							X			
Chloroform	[Methane, trichloro-]	67-66-3	1.00	20,000					X						
Chloromethyl ether	[Methane, oxybis(chloro-)]	542-88-1	1.00	1,000					X						
Chloromethyl methyl ether	[Methane, chloromethoxy-]	107-30-2	1.00	5,000					X						
1-Chloropropylene	[1-Propene, 1-chloro-]	590-21-6	1.00	10,000						X					
2-Chloropropylene	[1-Propene, 2-chloro-]	557-98-2	1.00	10,000						X					

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Chlorosarin	[o-Isopropyl methylphosphonochloridate]	1445-76-7			CUM 100g							X			
Chlorosoman	[o-Pinacolyl methylphosphonochloridate]	7040-57-5			CUM 100g							X			
Chlorosulfonic acid		7790-94-5					ACG	APA							X
Chromium oxychloride		14977-61-8					ACG	APA							X
Crotonaldehyde	[2-Butenal]	4170-30-3	1.00	10,000						X					
Crotonaldehyde, (E)-	[2-Butenal], (E)-]	123-73-9	1.00	10,000						X					
Cyanogen	[Ethanedinitrile]	460-19-5	1.00	10,000	11.67	45				X			X		
Cyanogen chloride		506-77-4	1.00	10,000	2.67	15			X				X		
Cyclohexylamine	[Cyclohexanamine]	108-91-8	1.00	15,000					X						
Cyclohexyltrichlorosilane		98-12-4					ACG	APA							X
Cyclopropane		75-19-4	1.00	10,000						X					
DF	Methyl phosphonyl difluoride	676-99-3			CUM 100g							X			
Diazodinitrophenol		87-31-0	ACG	5,000	ACG	400					X			X	
Diborane		19287-45-7	1.00	2,500	2.67	15			X				X		
Dichlorosilane	[Silane, dichloro-]	4109-96-0	1.00	10,000	10.47	45				X			X		
N,N-(2-diethylamino)ethanethiol		100-38-9			30.00	2.2						X			
Diethyldichlorosilane		1719-53-5					ACG	APA							X
o,o-Diethyl S-[2-(diethylamino)ethyl] phosphorothiolate		78-53-5			30.00	2.2						X			
Diethyleneglycol dinitrate		693-21-0	ACG	5,000	ACG	400					X			X	
Diethyl methylphosphonite		15715-41-0			30.00	2.2						X			
N,N-Diethyl phosphoramidic dichloride		1498-54-0			30.00	2.2						X			
N,N-(2-diisopropylamino)ethanethiol	N,N-diisopropyl-(beta)-aminoethane thiol	5842-07-9			30.00	2.2						X			

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			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release -- Toxic	Release -- Flammables	Release -- Explosives	Theft -- CW/CWP	Theft -- WME	Theft -- EXP/IEDP	Sabotage/Contamination
Difluoroethane	[Ethane, 1,1-difluoro-]	75-37-6	1.00	10,000						X					
N,N-Diisopropyl phosphoramidic dichloride		23306-80-1			30.00	2.2						X			
1,1-Dimethylhydrazine	[Hydrazine, 1, 1-dimethyl-]	57-14-7	1.00	10,000						X					
Dimethylamine	[Methanamine, N-methyl-]	124-40-3	1.00	10,000						X					
N,N-(2-dimethylamino)ethanethiol		108-02-1			30.00	2.2						X			
Dimethyldichlorosilane	[Silane, dichlorodimethyl-]	75-78-5	1.00	10,000			ACG	APA		X					X
N,N-Dimethyl phosphoramidic dichloride	[Dimethylphosphoramido-dichloridate]	677-43-0			30.00	2.2						X			
2,2-Dimethylpropane	[Propane, 2,2-dimethyl-]	463-82-1	1.00	10,000						X					
Dingu	[Dinitroglycoluril]	55510-04-8	ACG	5,000	ACG	400					X			X	
Dinitrogen tetroxide		10544-72-6			3.80	15							X		
Dinitrophenol		25550-58-7	ACG	5,000	ACG	400					X			X	
Dinitroresorcinol		519-44-8	ACG	5,000	ACG	400					X			X	
Diphenyldichlorosilane		80-10-4					ACG	APA							X
Dipicryl sulfide		2217-06-3	ACG	5,000	ACG	400					X			X	
Dipicrylamine [or] Hexyl	[Hexanitrodiphenylamine]	131-73-7	ACG	5,000	ACG	400					X			X	
N,N-(2-dipropylamino)ethanethiol		5842-06-8			30.00	2.2						X			
N,N-Dipropyl phosphoramidic dichloride		40881-98-9			30.00	2.2						X			
Dodecyltrichlorosilane		4484-72-4					ACG	APA							X
Epichlorohydrin	[Oxirane, (chloromethyl)-]	106-89-8	1.00	20,000					X						
Ethane		74-84-0	1.00	10,000						X					
Ethyl acetylene	[1-Butyne]	107-00-6	1.00	10,000						X					
Ethyl chloride	[Ethane, chloro-]	75-00-3	1.00	10,000						X					
Ethyl ether	[Ethane, 1,1-oxybis-]	60-29-7	1.00	10,000						X					
Ethyl mercaptan	[Ethanethiol]	75-08-1	1.00	10,000						X					

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Ethyl nitrite	[Nitrous acid, ethyl ester]	109-95-5	1.00	10,000						X					
Ethyl phosphonyl difluoride		753-98-0			CUM 100g							X			
Ethylamine	[Ethanamine]	75-04-7	1.00	10,000						X					
Ethyldiethanolamine		139-87-7			80.00	220						X			
Ethylene	[Ethene]	74-85-1	1.00	10,000						X					
Ethylene oxide	[Oxirane]	75-21-8	1.00	10,000						X					
Ethylenediamine	[1,2-Ethanediamine]	107-15-3	1.00	20,000					X						
Ethyleneimine	[Aziridine]	151-56-4	1.00	10,000						X					
Ethylphosphonothioic dichloride		993-43-1			30.00	2.2						X			
Ethyltrichlorosilane		115-21-9					ACG	APA							X
Fluorine		7782-41-4	1.00	1,000	6.17	15			X				X		
Fluorosulfonic acid		7789-21-1					ACG	APA							X
Formaldehyde (solution)		50-00-0	1.00	15,000					X						
Furan		110-00-9	1.00	10,000						X					
Germane		7782-65-2			20.73	45							X		
Germanium tetrafluoride		7783-58-6			2.11	15							X		
Guanyl nitrosaminoguanylidene hydrazine			ACG	5,000	ACG	400					X			X	
Hexaethyl tetraphosphate and compressed gas mixtures		757-58-4			33.37	500							X		
Hexafluoroacetone		684-16-2			15.67	45							X		
Hexanitrostilbene		20062-22-0	ACG	5,000	ACG	400					X			X	
Hexolite	[Hexotol]	121-82-4	ACG	5,000	ACG	400					X			X	
Hexyltrichlorosilane		928-65-4					ACG	APA							X
HMX	[Cyclotetramethylene-tetranitramine]	2691-41-0	ACG	5,000	ACG	400					X			X	

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HN1 (nitrogen mustard-1)	[Bis(2-chloroethyl)ethylamine]	538-07-8			CUM 100g							X			
HN2 (nitrogen mustard-2)	[Bis(2-chloroethyl)methylamine]	51-75-2			CUM 100g							X			
HN3 (nitrogen mustard-3)	[Tris(2-chloroethyl)amine]	555-77-1			CUM 100g							X			
Hydrazine		302-01-2	1.00	10,000						X					
Hydrochloric acid (conc. 37% or greater)		7647-01-0	37.00	15,000					X						
Hydrocyanic acid		74-90-8	1.00	2,500					X						
Hydrofluoric acid (conc. 50% or greater)		7664-39-3	50.00	1,000					X						
Hydrogen		1333-74-0	1.00	10,000						X					
Hydrogen bromide (anhydrous)		10035-10-6			95.33	500							X		
Hydrogen chloride (anhydrous)		7647-01-0	1.00	5,000	ACG	500			X				X		
Hydrogen cyanide	[Hydrocyanic acid]	74-90-8			4.67	15							X		
Hydrogen fluoride (anhydrous)		7664-39-3	1.00	1,000	42.53	45			X				X		
Hydrogen iodide, anhydrous		10034-85-2			95.33	500							X		
Hydrogen peroxide (concentration of at least 35%)		7722-84-1			35.00	400								X	
Hydrogen selenide		7783-07-5	1.00	10,000	0.07	15				X			X		
Hydrogen sulfide		7783-06-4	1.00	10,000	23.73	45			X				X		
Iodine pentafluoride		7783-66-6					ACG	APA							X
Iron, pentacarbonyl-	[Iron carbonyl (Fe (CO)5), (TB5-11)-]	13463-40-6	1.00	10,000						X					
Isobutane	[Propane, 2-methyl]	75-28-5	1.00	10,000						X					
Isobutyronitrile	[Propanenitrile, 2-methyl-]	78-82-0	1.00	20,000					X						
Isopentane	[Butane, 2-methyl-]	78-78-4	1.00	10,000						X					
Isoprene	[1,3-Butadiene, 2-methyl-]	78-79-5	1.00	10,000						X					

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Isopropyl chloride	[Propane, 2-chloro-]	75-29-6	1.00	10,000						X					
Isopropyl chloroformate	[Carbonochloridic acid, 1-methylethyl ester]	108-23-6	1.00	15,000					X						
Isopropylamine	[2-Propanamine]	75-31-0	1.00	10,000						X					
Isopropylphosphonothioic dichloride		1498-60-8			30.00	2.2						X			
Isopropylphosphonyl difluoride		677-42-9			CUM 100g							X			
Lead azide		13424-46-9	ACG	5,000	ACG	400					X			X	
Lead styphnate	[Lead trinitroresorcinate]	15245-44-0	ACG	5,000	ACG	400					X			X	
Lewisite 1	[2-Chlorovinyldichloroarsine]	541-25-3			CUM 100g							X			
Lewisite 2	[Bis(2-chlorovinyl)chloroarsine]	40334-69-8			CUM 100g							X			
Lewisite 3	[Tris(2-chlorovinyl)arsine]	40334-70-1			CUM 100g							X			
Lithium amide		7782-89-0					ACG	APA							X
Lithium nitride		26134-62-3					ACG	APA							X
Magnesium (powder)		7439-95-4			ACG	100								X	
Magnesium diamide		7803-54-5					ACG	APA							X
Magnesium phosphide		12057-74-8					ACG	APA							X
MDEA	[Methyldiethanolamine]	105-59-9			80.00	220						X			
Mercury fulminate		628-86-4	ACG	5,000	ACG	400					X			X	
Methacrylonitrile	[2-Propenenitrile, 2-methyl-]	126-98-7	1.00	10,000					X						
Methane		74-82-8	1.00	10,000						X					
2-Methyl-1-butene		563-46-2	1.00	10,000						X					
3-Methyl-1-butene		563-45-1	1.00	10,000						X					
Methyl chloride	[Methane, chloro-]	74-87-3	1.00	10,000						X					
Methyl chloroformate	[Carbonochloridic acid, methyl ester]	79-22-1	1.00	10,000						X					
Methyl ether	[Methane, oxybis-]	115-10-6	1.00	10,000						X					
Methyl formate	[Formic acid Methyl ester]	107-31-3	1.00	10,000						X					

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Methyl hydrazine	[Hydrazine, methyl-]	60-34-4	1.00	15,000					X						
Methyl isocyanate	[Methane, isocyanato-]	624-83-9	1.00	10,000					X						
Methyl mercaptan	[Methanethiol]	74-93-1	1.00	10,000	45.00	500				X			X		
Methyl thiocyanate	[Thiocyanic acid, methyl ester]	556-64-9	1.00	20,000					X						
Methylamine	[Methanamine]	74-89-5	1.00	10,000						X					
Methylchlorosilane		993-00-0			20.00	45							X		
Methyldichlorosilane		75-54-7					ACG	APA							X
Methylphenyldichlorosilane		149-74-6					ACG	APA							X
Methylphosphonothioic dichloride		676-98-2			30.00	2.2						X			
2-Methylpropene	[1-Propene, 2-methyl-]	115-11-7	1.00	10,000						X					
Methyltrichlorosilane	[Silane, trichloromethyl-]	75-79-6	1.00	10,000			ACG	APA		X					X
Sulfur mustard (Mustard gas (H))	[Bis(2-chloroethyl)sulfide]	505-60-2			CUM 100g							X			
O-Mustard (T)	[Bis(2-chloroethylthioethyl)ether]	63918-89-8			CUM 100g							X			
Nickel Carbonyl		13463-39-3	1.00	10,000						X					
Nitric acid		7697-37-2	80.00	15,000	68.00	400			X					X	
Nitric oxide	[Nitrogen oxide (NO)]	10102-43-9	1.00	10,000	3.83	15			X				X		
Nitrobenzene		98-95-3			ACG	100								X	
5-Nitrobenzotriazol		2338-12-7	ACG	5,000	ACG	400					X			X	
Nitrocellulose		9004-70-0	ACG	5,000	ACG	400					X			X	
Nitrogen mustard hydrochloride	[Bis(2-chloroethyl)methylamine hydrochloride]	55-86-7			30.00	2.2						X			
Nitrogen trioxide		10544-73-7			3.83	15							X		
Nitroglycerine		55-63-0	ACG	5,000	ACG	400					X			X	
Nitromannite	[Mannitol hexanitrate, wetted]	15825-70-4	ACG	5,000	ACG	400					X			X	
Nitromethane		75-52-5			ACG	400								X	
Nitrostarch		9056-38-6	ACG	5,000	ACG	400					X			X	
Nitrosyl chloride		2696-92-6			1.17	15							X		

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Nitrotriazolone		932-64-9	ACG	5,000	ACG	400					X			X	
Nonyltrichlorosilane		5283-67-0					ACG	APA							X
Octadecyltrichlorosilane		112-04-9					ACG	APA							X
Octolite		57607-37-1	ACG	5,000	ACG	400					X			X	
Octonal		78413-87-3	ACG	5,000	ACG	400					X			X	
Octyltrichlorosilane		5283-66-9					ACG	APA							X
Oleum (Fuming Sulfuric acid)	[Sulfuric acid, mixture with sulfur trioxide]	8014-95-7	1.00	10,000					X						
Oxygen difluoride		7783-41-7			0.09	15							X		
1,3-Pentadiene		504-60-9	1.00	10,000						X					
Pentane		109-66-0	1.00	10,000						X					
1- Pentene		109-67-1	1.00	10,000						X					
2-Pentene, (E)-		646-04-8	1.00	10,000						X					
2-Pentene, (Z)-		627-20-3	1.00	10,000						X					
Pentolite		8066-33-9	ACG	5,000	ACG	400					X			X	
Peracetic acid	[Ethaneperoxic acid]	79-21-0	1.00	10,000						X					
Perchloromethylmercaptan	[Methanesulfenyl chloride, trichloro-]	594-42-3	1.00	10,000					X						
Perchloryl fluoride		7616-94-6			25.67	45							X		
PETN	[Pentaerythritol tetranitrate]	78-11-5	ACG	5,000	ACG	400					X			X	
Phenyltrichlorosilane		98-13-5					ACG	APA							X
Phosgene	[Carbonic dichloride] or [carbonyl dichloride]	75-44-5	1.00	500	0.17	15			X				X		
Phosphine		7803-51-2	1.00	10,000	0.67	15				X			X		
Phosphorus		7723-14-0			ACG	400								X	
Phosphorus oxychloride	[Phosphoryl chloride]	10025-87-3	1.00	5,000	80.00	220	ACG	APA	X			X			X
Phosphorus pentabromide		7789-69-7					ACG	APA							X
Phosphorus pentachloride		10026-13-8					ACG	APA							X
Phosphorus pentasulfide		1314-80-3					ACG	APA							X

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release -- Toxic	Release -- Flammables	Release -- Explosives	Theft -- CW/CWP	Theft -- WME	Theft -- EXP/IEDP	Sabotage/Contamination
Phosphorus trichloride		7719-12-2	1.00	15,000	3.48	45	ACG	APA	X				X		X
Picrite	[Nitroguanidine]	556-88-7	ACG	5,000	ACG	400					X			X	
Piperidine		110-89-4	1.00	10,000						X					
Potassium chlorate		3811-04-9			ACG	400								X	
Potassium cyanide		151-50-8					ACG	APA							X
Potassium nitrate		7757-79-1			ACG	400								X	
Potassium perchlorate		7778-74-7			ACG	400								X	
Potassium permanganate		7722-64-7			ACG	400								X	
Potassium phosphide		20770-41-6					ACG	APA							X
Propadiene	[1,2-Propadiene]	463-49-0	1.00	10,000						X					
Propane		74-98-6	1.00	60,000						X					
Propionitrile	[Propanenitrile]	107-12-0	1.00	10,000					X						
Propyl chloroformate	[Carbonchloridic acid, propylester]	109-61-5	1.00	10,000						X					
Propylene	[1-Propene]	115-07-1	1.00	10,000						X					
Propylene oxide	[Oxirane, methyl-]	75-56-9	1.00	10,000						X					
Propyleneimine	[Aziridine, 2-methyl-]	75-55-8	1.00	10,000					X						
Propylphosphonothioic dichloride		2524-01-8			30.00	2.2						X			
Propylphosphonyl difluoride		690-14-2			CUM 100g							X			
Propyltrichlorosilane		141-57-1					ACG	APA							X
Propyne	[1-Propyne]	74-99-7	1.00	10,000						X					
QL	[o-Ethyl-o-2-diisopropylaminoethyl methylphosphonite]	57856-11-8			CUM 100g							X			
RDX	[Cyclotrimethylenetrinitramine]	121-82-4	ACG	5,000	ACG	400					X			X	
RDX and HMX mixtures		121-82-4	ACG	5,000	ACG	400					X			X	
Sarin	[o-Isopropyl methylphosphonofluoridate]	107-44-8			CUM 100g							X			
Selenium hexafluoride		7783-79-1			1.67	15							X		

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Sesquimustard	[1,2-Bis(2-chloroethylthio)ethane]	3563-36-8			CUM 100g							X			
Silane		7803-62-5	1.00	10,000						X					
Silicon tetrachloride		10026-04-7					ACG	APA							X
Silicon tetrafluoride		7783-61-1			15.00	45							X		
Sodium azide		26628-22-8			ACG	400								X	
Sodium chlorate		7775-09-9			ACG	400								X	
Sodium cyanide		143-33-9					ACG	APA							X
Sodium hydrosulfite	[Sodium dithionite]	7775-14-6					ACG	APA							X
Sodium nitrate		7631-99-4			ACG	400								X	
Sodium phosphide		12058-85-4					ACG	APA							X
Soman	[o-Pinacolyl methylphosphonofluoridate]	96-64-0			CUM 100g							X			
Stibine		7803-52-3			0.67	15							X		
Strontium phosphide		12504-16-4					ACG	APA							X
Sulfur dioxide (anhydrous)		7446-09-5	1.00	5,000	84.00	500			X				X		
Sulfur tetrafluoride	[Sulfur fluoride (SF4), (T-4)-]	7783-60-0	1.00	2,500	1.33	15			X				X		
Sulfur trioxide		7446-11-9	1.00	10,000					X						
Sulfuryl chloride		7791-25-5					ACG	APA							X
Tabun	[o-Ethyl-N,N-dimethylphosphoramido-cyanidate]	77-81-6			CUM 100g							X			
Tellurium hexafluoride		7783-80-4			0.83	15							X		
Tetrafluoroethylene	[Ethene, tetrafluoro-]	116-14-3	1.00	10,000						X					
Tetramethyllead	[Plumbane, tetramethyl-]	75-74-1	1.00	10,000					X						
Tetramethylsilane	[Silane, tetramethyl-]	75-76-3	1.00	10,000						X					
Tetranitroaniline		53014-37-2	ACG	5,000	ACG	400					X			X	
Tetranitromethane	[Methane, tetranitro-]	509-14-8	1.00	10,000						X					
Tetrazene	[Guanyl nitrosaminoguanyltetrazene]	109-27-3	ACG	5,000	ACG	400					X			X	

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release -- Toxic	Release -- Flammables	Release -- Explosives	Theft -- CW/CWP	Theft -- WME	Theft -- EXP/IEDP	Sabotage/Contamination
1H-Tetrazole		288-94-8	ACG	5,000	ACG	400					X			X	
Thiodiglycol	[Bis(2-hydroxyethyl)sulfide]	111-48-8			30.00	2.2						X			
Thionyl chloride		7719-09-7					ACG	APA							X
Titanium tetrachloride	[Titanium chloride (TiCl4) (T-4)-]	7550-45-0	1.00	2,500	13.33	45	ACG	APA	X				X		X
TNT	[Trinitrotoluene]	118-96-7	ACG	5,000	ACG	400					X			X	
Torpex	[Hexotonal]	67713-16-0	ACG	5,000	ACG	400					X			X	
Trichlorosilane	[Silane, trichloro-]	10025-78-2	1.00	10,000			ACG	APA		X					X
Triethanolamine		102-71-6			80.00	220						X			
Triethanolamine hydrochloride		637-39-8			80.00	220						X			
Triethyl phosphite		122-52-1			80.00	220						X			
Trifluoroacetyl chloride		354-32-5			6.93	45							X		
Trifluorochloroethylene	[Ethene, chlorotrifluoro]	79-38-9	1.00	10,000	66.67	500				X			X		
Trimethylamine	[Methanamine, N,N-dimethyl-]	75-50-3	1.00	10,000						X					
Trimethylchlorosilane	[Silane, chlorotrimethyl-]	75-77-4	1.00	10,000			ACG	APA		X					X
Trimethyl phosphite		121-45-9			80.00	220						X			
Trinitroaniline		26952-42-1	ACG	5,000	ACG	400					X			X	
Trinitroanisole		606-35-9	ACG	5,000	ACG	400					X			X	
Trinitrobenzene		99-35-4	ACG	5,000	ACG	400					X			X	
Trinitrobenzenesulfonic acid		2508-19-2	ACG	5,000	ACG	400					X			X	
Trinitrobenzoic acid		129-66-8	ACG	5,000	ACG	400					X			X	
Trinitrochlorobenzene		88-88-0	ACG	5,000	ACG	400					X			X	
Trinitrofluorenone		129-79-3	ACG	5,000	ACG	400					X			X	
Trinitro-meta-cresol		602-99-3	ACG	5,000	ACG	400					X			X	
Trinitronaphthalene		55810-17-8	ACG	5,000	ACG	400					X			X	
Trinitrophenetole		4732-14-3	ACG	5,000	ACG	400					X			X	
Trinitrophenol		88-89-1	ACG	5,000	ACG	400					X			X	
Trinitroresorcinol		82-71-3	ACG	5,000	ACG	400					X			X	
Tritonal		54413-15-9	ACG	5,000	ACG	400					X			X	
Tungsten hexafluoride		7783-82-6			7.10	45							X		

Appendix A to Part 27. -- DHS Chemicals of Interest [1]

Chemicals of Interest (COI)	Synonym	Chemical Abstract Service (CAS) #	Release		Theft		Sabotage		Security Issue						
			Minimum Concentration (%)	Screening Threshold Quantities (in pounds)	Minimum Concentration (%)	Screening Threshold Quantities (in pounds unless otherwise noted)	Minimum Concentration (%)	Screening Threshold Quantities	Release – Toxic	Release – Flammables	Release – Explosives	Theft – CW/CWP	Theft – WME	Theft – EXP/IEDP	Sabotage/Contamination
Vinyl acetate monomer	[Acetic acid ethenyl ester]	108-05-4	1.00	10,000						X					
Vinyl acetylene	[1-Buten-3-yne]	689-97-4	1.00	10,000						X					
Vinyl chloride	[Ethene, chloro-]	75-01-4	1.00	10,000						X					
Vinyl ethyl ether	[Ethene, ethoxy-]	109-92-2	1.00	10,000						X					
Vinyl fluoride	[Ethene, fluoro-]	75-02-5	1.00	10,000						X					
Vinyl methyl ether	[Ethene, methoxy-]	107-25-5	1.00	10,000						X					
Vinylidene chloride	[Ethene, 1,1-dichloro-]	75-35-4	1.00	10,000						X					
Vinylidene fluoride	[Ethene, 1,1-difluoro-]	75-38-7	1.00	10,000						X					
Vinyltrichlorosilane		75-94-5					ACG	APA							X
VX	[o-Ethyl-S-2-diisopropylaminoethyl methyl phosphonothiolate]	50782-69-9			CUM 100g							X			
Zinc hydrosulfite	[Zinc dithionite]	7779-86-4					ACG	APA							X

[1] The acronyms used in this appendix have the following meaning: ACG = A Commercial Grade; APA = A Placarded Amount; CW/CWP = Chemical Weapons/Chemical Weapons Precursors; WME = Weapons of Mass Effect; EXP/IEDP = Explosives/Improvised Explosive Device Precursors

[72 FR 65420, Nov. 20, 2007]

PART 29—PROTECTED CRITICAL INFRASTRUCTURE INFORMATION

Sec.
29.1 Purpose and scope.
29.2 Definitions.
29.3 Effect of provisions.
29.4 Protected Critical Infrastructure Information Program administration.
29.5 Requirements for protection.
29.6 Acknowledgment of receipt, validation, and marking.
29.7 Safeguarding of Protected Critical Infrastructure Information.
29.8 Disclosure of Protected Critical Infrastructure Information.
29.9 Investigation and reporting of violation of PCII procedures.

AUTHORITY: Pub. L. 107–296, 116 Stat. 2135 (6 U.S.C. 1 *et seq.*); 5 U.S.C. 301.

SOURCE: 71 FR 52271, Sept. 1, 2006, unless otherwise noted.

§ 29.1 Purpose and scope.

(a) *Purpose of this Part*. This part implements sections 211 through 215 of the Homeland Security Act of 2002 (HSA) through the establishment of uniform procedures for the receipt, care, and storage of Critical Infrastructure Information (CII) voluntarily submitted to the Department of Homeland Security (DHS). Title II, Subtitle B, of the Homeland Security Act is referred to herein as the Critical Infrastructure Information Act of 2002 (CII Act). Consistent with the statutory mission of DHS to prevent terrorist attacks within the United States and reduce the vulnerability of the United States to terrorism, DHS will encourage the voluntary submission of CII by safeguarding and protecting that information from unauthorized disclosure and by ensuring that such information is, as necessary, securely shared with State and local government pursuant to section 214(a) through (g) of the CII Act. As required by the CII Act, these rules establish procedures regarding:

(1) The acknowledgement of receipt by DHS of voluntarily submitted CII;

(2) The receipt, validation, handling, storage, proper marking and use of information as PCII;

(3) The safeguarding and maintenance of the confidentiality of such information, appropriate sharing of such information with State and local governments pursuant to section 214(a) through (g) of the HSA.

(4) The issuance of advisories, notices and warnings related to the protection of critical infrastructure or protected systems in such a manner as to protect from unauthorized disclosure the source of critical infrastructure information that forms the basis of the warning, and any information that is proprietary or business sensitive, might be used to identify the submitting person or entity, or is otherwise not appropriately in the public domain.

(b) *Scope*. The regulations in this part apply to all persons and entities that are authorized to handle, use, or store PCII or that otherwise accept receipt of PCII.

§ 29.2 Definitions.

For purposes of this part:

(a) *Critical Infrastructure* has the meaning stated in section 2 of the Homeland Security Act of 2002 (referencing the term used in section 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

(b) *Critical Infrastructure Information*, or *CII*, has the same meaning as established in section 212 of the CII Act of 2002 and means information not customarily in the public domain and related to the security of critical infrastructure or protected systems, including documents, records or other information concerning:

(1) Actual, potential, or threatened interference with, attack on, compromise of, or incapacitation of critical infrastructure or protected systems by either physical or computer-based attack or other similar conduct (including the misuse of or unauthorized access to all types of communications and data transmission systems) that violates Federal, State, local, or tribal law, harms interstate commerce of the United States, or threatens public health or safety;

(2) The ability of any critical infrastructure or protected system to resist such interference, compromise, or incapacitation, including any planned or