

How to get a product on the US EPA NCP list

The US Congress required the US EPA to keep a list of products that can be legally used on US Navigable waters, which is why there is a list of products.

<http://www2.epa.gov/emergency-response/national-contingency-plan-subpart-j#howto>

Emergency Response

National Contingency Plan Subpart J

One of EPA's top priorities is to prevent, prepare for, and respond to oil spills that occur in and around inland waters of the United States. EPA is the lead federal response agency for oil spills occurring in inland waters. The [U.S. Coast Guard](#) is the lead response agency for spills in coastal waters and deepwater ports. Subpart J of the [National Oil and Hazardous Substances Pollution Contingency Plan \(NCP\)](#) directs EPA to prepare a schedule of dispersants, other chemicals, and oil spill mitigating devices and substances that may be used to remove or control oil discharges.

[NCP Product Schedule](#)

[Environmental Monitoring for Atypical Dispersant Operations: Including Guidance for Subsea Application and](#)

[Prolonged Surface Application](#)

[Revisions to Subpart J of the NCP under Consideration](#)

[NCP Product Schedule Technical Notebook](#)

[How to List a New Product on the NCP Product Schedule](#)

[NCP Subpart J Regulations](#) [Effectiveness and Toxicity Testing](#) [Disclaimer Information](#) [For More Information](#)

The [NCP Product Schedule \(April 2014\) \(PDF\)](#) is also available for download in its entirety.

EPA maintains the NCP Product Schedule, which lists the following types of products that are authorized for use on oil discharges:

Bioremediation agents Dispersants Surface washing agents Surface collecting agents Miscellaneous oil spill control age

See [Definitions of Product Categories](#) See [Alphabetical List of NCP Product Schedule Products with Links to Technical](#)

[Product Summaries](#)

Design for the Environment

Note: Products may be eligible for recognition by EPA's [Design for the Environment \(DfE\) Program](#) as a safer oil spill treatment. The DfE Program labels products that have met its stringent criteria for human health and environmental

safety.

NCP Product Schedule Technical Notebook

The [NCP Product Schedule Technical Notebook \(April 2014\) \(PDF\)](#) presents **manufacturer's** summary information on the conditions under which each of the products is recommended to be used. **Manufacturer** information may provide handling and worker precautions, storage information, recommended application procedures, physical properties, and toxicity, effectiveness, or other analyses.

Disclaimer: The listing of a product on the Product Schedule does NOT mean that EPA approves, recommends, licenses, certifies, or authorizes the use of the product on an oil discharge. The listing means only that data have been submitted to EPA as required by Subpart J of the National Contingency Plan, [Section 300.915](#). (Source: [40 CFR § 300.920](#) (e))

There is an established process that manufacturers must follow to have a product listed on the NCP Product Schedule.

Begin by reviewing data requirements in section 300.915 of Subpart J of the NCP Product Schedule.

Determine [product category](#) (e.g., dispersant, surface washing agent, etc.)

Fulfill each of the data requirements for selected product category, including effectiveness and toxicity testing (if applicable). If you need assistance locating a laboratory to help fulfill these requirements, please call the [NCP Product Schedule Information Line](#).

Send a hard copy of **all** data requirements for review to: NCP Product Schedule Manager U.S. Environmental Protection Agency Ariel Rios North Building - Mail Code 5104-A Room 6450T Washington, D.C. 20460

If you have further questions or require more information, please call the [NCP Product Schedule Information Line](#).

Subpart J Regulations

EPA is currently making revisions to the Subpart J regulation to clarify and update the Product Schedule listing procedures. These updates may include effectiveness and toxicity testing. Once the proposed rule is posted to the docket, there will be a public comment period for providing questions and concerns. The compiled comments will be addressed in the final rule. Office of Management and Budget Agenda: [Revisions to the National Oil and Hazardous Substances Pollution Contingency Plan; Subpart J Product Schedule Listing Requirements](#).

[NCP Subpart J: Use of Dispersants and Other Chemicals - 40 CFR 300.900 - 300.920 \(PDF\)](#)

[NCP: Definitions - 40 CFR 300.5 \(PDF\)](#)

[Relevant Federal Register Notices](#)

Effectiveness and Toxicity Testing

For the products on the schedule, EPA provides [NCP Product Schedule Toxicity and Effectiveness Summaries](#) for each product category. Appendix C to 40 CFR part 300 describes methods for required effectiveness and toxicity tests for specific product categories. See: [40 CFR part 300 Appendix C](#) | [PDF](#) (22 pp, 284 K, [About PDF](#))

The listing of a product on the NCP Product Schedule does not constitute approval of the product. To avoid possible misinterpretation or misrepresentation, any label, advertisement, or technical literature that refers to the placement of the product on the NCP Product Schedule must either reproduce in its entirety EPA's written statement that it will add the product to the NCP Product Schedule under Sec. 300.920(a)(2) or (b)(2), or include the disclaimer shown below. If the disclaimer is used, it must be conspicuous and must be fully reproduced. Failure to comply with these restrictions or any other improper attempt to demonstrate the approval of the product by any National Response Team (NRT) or other U.S. Government agency shall constitute grounds for removing the product from the NCP Product Schedule. [40 CFR 300.920(e)]

[PRODUCT NAME] is on the U.S. Environmental Protection Agency's NCP Product Schedule. This listing does NOT mean that EPA approves, recommends, licenses, certifies, or authorizes the use of [PRODUCT NAME] on an oil discharge. This listing means only that data have been submitted to EPA as required by subpart J of the National Contingency Plan, Sec. 300.915.

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