



Right to Know and Pollution Prevention Requirements added for Hexabromocyclododecane (HBCD)

Who is affected by this advisory?

Facilities in New Jersey subject to the Community Right to Know (CRTK) and Pollution Prevention (P2) programs will be subject to reporting the HBCD compound category on the CRTK Survey and the Release and Pollution Prevention Report (RPPR) in 2018. The HBCD category covers HBCD as identified through two primary Chemical Abstracts Service Registry Numbers (CASRNs): 3194-55-6 (1,2,5,6,9,10-hexabromocyclododecane) and 25637-99-4 (hexabromocyclododecane).

Why is DEP issuing this advisory?

On November 30, 2016, the Environmental Protection Agency (EPA) finalized a rule adding an HBCD category to the Toxics Release Inventory (TRI) list of reportable chemicals. This action will expand the scope of chemicals subject to TRI reporting and provide communities with more complete information on toxic chemical releases.

HBCD is a brominated flame retardant used mainly in expanded polystyrene foam (EPS) and extruded polystyrene foam (XPS). EPS and XPS are used primarily for thermal insulation boards in the building and construction industry. HBCD may also be used as a flame retardant in textiles. Concerns about releases and uses of HBCD have been raised because it is found worldwide in the environment and in wildlife, and it has also been found in human breast milk, fat tissue and blood.

The EPA has also determined that HBCD meets the environmental effects criterion for listing because it is highly toxic to aquatic and terrestrial organisms. Additionally, HBCD bioaccumulates and is persistent in the environment. Thus, HBCD meets the TRI criteria for a Persistent, Bioaccumulative, and Toxic (PBT) chemical and is designated as a chemical of special concern. Facilities in New Jersey will be subject to reporting on the CRTK Survey and the RPPR in 2018 for the 2017 reporting year.

What should I do?

Begin to track the uses of this material at your facility to accurately prepare for the required reports in the upcoming year. Facilities in New Jersey will be subject to reporting on the CRTK and the RPPR in 2018. The threshold for reporting on the CRTK Survey will be 500 pounds at any one time. The annual threshold for the RPPR, because the compounds are a PBT chemical, will be 100 pounds.

COMPLIANCE ADVISORY

Who should I contact with questions?

For questions on CRTK reporting please contact the Department via e-mail at RTK@dep.nj.gov. For questions on the RPPR, please contact the Bureau of Compliance Support & Pollution Prevention at 609-777-0518.

Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

- The Community Right to Know site: <http://www.nj.gov/dep/enforcement/crtk.html>
- The Pollution Prevention program: <http://www.nj.gov/dep/enforcement/pp.html>
- The Air Pollution site: www.state.nj.us/dep/aqpp/
- The Small Business Environmental Assistance Program: <http://www.nj.gov/dep/ages/sbap/index.html>
- For general NJDEP information (Contact NJDEP): <http://www.nj.gov/cgi-bin/dep/contactdep.pl>
- To comment on this advisory: <http://www.nj.gov/dep/enforcement/survey.html>
- EPA's work with flame retardants: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/fact-sheet-assessing-risks-flame-retardants> and <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/hexabromocyclododecane>.

This advisory is intended to be a summary explanation. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement numbers listed above.