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| Community Right to Know and Pollution Prevention Programs | Issued: 1/23/2024 | #2024-02 |
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## Right to Know and Pollution Prevention Requirements Added for Newly Reportable Chemicals

### 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 seven (7) newly added chemicals on the New Jersey CRTK Survey and the Release and Pollution Prevention Report (RPPR) for 2024. The U.S. Environmental Protection Agency (USEPA) added these to the list subject to the reporting requirements of the federal Emergency Planning and Community Right-to-Know Act (EPCRA).

### Why is DEP issuing this Advisory?

On Tuesday, January 9, 2024, the U.S. Environmental Protection Agency (EPA) announced the automatic addition of seven per- and polyfluoroalkyl substances (PFAS) to the list of chemicals covered by the Toxics Release Inventory (TRI) under Section 313 of EPCRA and the federal Pollution Prevention Act. This action was taken pursuant to the provisions of the Fiscal Year 2020 Section 7321 of the National Defense Authorization Act (NDAA), which provides the framework for the automatic addition of PFAS to TRI each year in response to certain EPA activities involving such PFAS. The newly added chemicals are:

| <u>Chemical name</u>  | <u>CAS No.</u> |
|---|----------------|
| Ammonium perfluorohexanoate   | 21615-47-4     |
| Lithium bis[(trifluoromethyl)sulfonyl] azanide                          | 90076-65-6     |
| Perfluorohexanoic acid (PFHxA)  | 307-24-4       |
| Perfluoropropanoic acid (PFPrA)   | 422-64-0       |
| Sodium perfluorohexanoate   | 2923-26-4      |
| 1,1,1-Trifluoro-N-[(trifluoromethyl)sulfonyl] methanesulfonamide        | 82113-65-3     |
| Betaines, dimethyl(.gamma.-.omega.-perfluoro-.gamma.-hydro-C8-18-alkyl) | 2816091-53-7   |

# COMPLIANCE ADVISORY

## What should I do?

Effective January 1, 2024, track the uses of these chemicals at your facility to accurately prepare for the required reports in the upcoming year(s). Facilities in New Jersey will be subject to reporting these chemicals on the New Jersey CRTK Survey and the RPPR for Report Year 2024. The threshold for reporting on the New Jersey CRTK Survey by March 1, 2025, is 500 pounds on site at any one time. The annual threshold for the RPPR due by July 1, 2025, is 100 pounds for Manufacture, Process, or Otherwise Use of the chemical.

The elimination of the de minimis level for all PFAS is addressed by Compliance Advisory #2024-01. It is important that facilities initiate tracking of reporting parameters, such as facility use, production, environmental releases, and waste management of these chemicals, per the requirements of the New Jersey CRTK Survey and the RPPR, as soon as possible so that accurate data for 2024 may be reported.

## Who should I contact with questions?

For questions on CRTK reporting, please contact NJDEP via e-mail at [RTK@dep.nj.gov](mailto:RTK@dep.nj.gov). For questions on the RPPR, please contact the Pollution Prevention Program at [609-777-0518](tel:609-777-0518).

## Where can I get more information?

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

- Community Right to Know Program: <https://www.nj.gov/dep/enforcement/crtk.html>
- Pollution Prevention Program: <https://dep.nj.gov/sustainability/pollution-prevention/>
- General NJDEP Contact Information: <https://dep.nj.gov/contact>
- Air Pollution Program: <https://dep.nj.gov/boss/>
- Small Business Environmental Assistance Program: <https://dep.nj.gov/sustainability/sbap/>
- Notification: Addition of Seven (7) Chemicals to the Toxic Release Inventory: <https://www.epa.gov/toxics-release-inventory-tri-program/addition-certain-pfas-tri-national-defense-authorization-act>

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 programs listed above.