



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

April 7, 2021

MEMORANDUM FOR AGENCY CHIEF SUSTAINABILITY OFFICERS

FROM: ANDREW MAYOCK 
FEDERAL CHIEF SUSTAINABILITY OFFICER

SUBJECT: AGENCY COMPLIANCE WITH SECTIONS 301 THROUGH 313 OF
THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-
KNOW ACT

The Council on Environmental Quality (CEQ) is issuing this guidance consistent with section 211 and 219 of Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*,¹ to direct Federal departments and agencies on reporting in accordance with the requirements of section 301 through 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 (42 U.S.C. §§ 11001–11023).

Since 1993, Executive Orders have applied EPCRA to Federal facilities, requiring agencies to report releases of environmental pollution through the Environmental Protection Agency's (EPA's) Toxics Release Inventory (TRI) Program, established under section 313 of EPCRA. Each agency must continue to comply with the provisions set forth in sections 301 through 313 of EPCRA, as amended, in light of applicable guidance issued by EPA, and without regard to the Standard Industrial Classification (SIC) or North American Industrial Classification System (NAICS) delineations. Each agency reporting under EPCRA section 313 must do so using Internet reporting as provided in EPA's EPCRA section 313 guidance. The Internet reporting includes elements from the Pollution Prevention Act of 1990 section 6607 (42 U.S.C. § 13106).

In addition, in contracts providing for contractor performance at Federal facilities, agencies must include a requirement that the contractor provide the information needed by the Federal facility to comply with EPCRA.

Further information on reporting requirements can be found on EPA's [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) and [Toxics Release Inventory \(TRI\) Program](#) websites.

¹ 86 Fed. Reg. 7619 (Feb. 1, 2021).