

## FACT SHEET ON EPCRA SECTION 313 RULEMAKING

### Persistent Bioaccumulative Toxic Chemicals

#### **Action:**

On October 29, 1999 EPA published a final rule under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), which lowers the Toxics Release Inventory (TRI) reporting thresholds for persistent bioaccumulative toxic (PBT) chemicals and adds certain other PBT chemicals to the TRI. These PBT chemicals are of particular concern not only because they are toxic but also because they remain in the environment for long periods of time, are not readily destroyed, and build up or accumulate in body tissue. Relatively small releases of PBT chemicals can pose human and environmental health threats and consequently releases of these chemicals warrant recognition by communities. The final rule includes lowered reporting thresholds for PBT chemicals and a special, lower, reporting threshold for dioxin. The rule also includes modifications to certain reporting exemptions and requirements for the chemicals newly subject to the lower reporting thresholds. EPA is developing reporting guidance for dioxin and dioxin-like compounds and other PBT chemicals. Some of this guidance will be available beginning in January, 2000 on the TRI homepage at [www.epa.gov/tri](http://www.epa.gov/tri).

#### **Background:**

EPA proposed this rule on January 5, 1999. (64 FR 689) For a number of years, EPA has been considering whether modifications to section 313 reporting requirements should be made in order to capture additional reporting concerning chemicals that persist and bioaccumulate. In a 1994 proposed rule to add chemicals to TRI, EPA specifically requested comment on what modifications to section 313 would be required to ensure that we collect release and waste management information on PBTs. In response to that request, we received many comments asking that the Agency issue a rule, like the rule just published, in which we lower reporting thresholds for PBTs and eliminate certain reporting exemptions that limit reporting of these chemicals. Also, on August 28, 1996, EPA received a petition from Communities for a Better Environment to add dioxin and dioxin- like compounds to the list of chemicals subject to the reporting requirements of EPCRA section 313 and to lower the reporting thresholds for PBT chemicals in general.

#### **Rationale:**

The current EPCRA section 313 reporting thresholds are 25,000 pounds for the manufacture or processing of a chemical and 10,000 pounds for @otherwise use@ of the chemical. These thresholds are inadequate to ensure that the public has access to important information about the quantities of these PBT chemicals which enter their communities from local industrial facilities. By lowering the existing thresholds to 10 and 100 pounds, EPA believes the public will have access to necessary basic environmental data about these chemicals.

#### **Copies of the rule:**

Electronic copies of this rule are accessible from the TRI homepage: <http://www.epa.gov/tri>