

Changes to the EPCRA, CERCLA, CAA 112(r) Consolidated List of Lists

April 2022

Title Change. Title was changed from “Consolidated List of Chemicals Subject to the Emergency Planning and Community Right To Know Act (EPCRA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Section 112(r) of the Clean Air Act” to “Consolidated List of Chemicals Subject to the Emergency Planning and Community Right To Know Act (EPCRA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and Section 112(r) of the Clean Air Act (CAA)”

Formatting. Headers and Footers were added to provide the section, version, and page numbers on each page. Appendix E (EPCRA section 313 Toxic Release Inventory (TRI) and Per- and Polyfluoroalkyl Substances) was split into Appendix E and F to provide one appendix for the CAS number ordered list, and one appendix for the alphabetically ordered list. The appendix titled CERCLA Hazardous Substances – Chemical Categories was renumbered from F to G. Summary of Codes was added to the Table of Contents.

Introduction. The language was updated to be reflective of the current regulations including modifying language to reflect that Safety Data Sheets (SDSs) are required and replace Material Safety Data Sheets (MSDS) and to be inclusive of Tribes.

CERCLA Hazardous Chemical Edits:

The following modifications were made to align the List of Lists with the technical edits made to the CERCLA list of hazardous substance [87 FR2072-20760, April 8, 2022]: The RCRA Hazardous Waste vacated K-Code substances (K064, K065, K066, K090, and K091) were deleted. The replaced CAS number for chromic acid (11115-74-5) was deleted. The replaced CAS number for lead stearate (52652-59-2) was deleted. The CAS number for arsenic disulfide was updated from 1303-32-8 to 12044-79-0. The reportable quantity of 1 pound was added to the new CAA HAP 1-Bromopropane. The chemicals “Chlordane, alpha isomer” and “Chlordane, gamma isomer” were added. The CAS number for Cupric oxalate updated from 5893 -66 -3 to 55671-32-4. The CAS numbers for Dichlorobenzidine (1331-47-1), diphenylhydrazine (38622-18-3) and nitrophenols (25154-55-6) were added.

TRI Edits:

The following substances were added to the list for reporting year 2022 because the National Defense Authorization Act (NDAA) automatically added four additional PFAS to the TRI list: Perfluorobutane sulfonic acid (CAS Number 375-73-5); Potassium perfluorobutane sulfonate (CAS Number 29420-49-3); Perfluorobutanesulfonate (45187-15-3); and 2-Propenoic acid, 2-methyl-, hexadecyl ester, polymers with 2-hydroxyethyl methacrylate, .gamma.-.omega.-perfluoro-C10-6-alkyl acrylate and stearyl methacrylate (CAS Number 203743-03-7). Additional information is available at:

<https://www.epa.gov/epcra/consolidated-list-lists-under-epcracerclacaa-ss112r-september-2021-version>

September 2021

New TRI Chemicals. Section 7321 of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92) (NDAA) added certain Per- and Polyfluoroalkyl Substances (PFAS) to the TRI list. Among these added chemicals are chemicals that met two criteria: (1) they were subject to a significant new use rule at either 40 CFR 721.9582 or 721.10536 on or before December 20, 2019; and (2) they were identified as active in commerce on the Toxic Substances Control Act (TSCA) Inventory that was published in February 2019. Chemicals meeting only one of the two criteria were not added to the TRI list.

The names and CASRNs for some of the chemicals listed under 40 CFR 721.9582 and/or 40 CFR 721.10536 are subject to a claim of protection from disclosure. Under Section 7321 of the NDAA, EPA must review any such chemicals before the chemicals are added to the TRI list (NDAA Section 7321(e)). Therefore, the chemicals that are subject to a claim of protection from disclosure will not be added to the EPCRA Section 313 toxic chemical list until EPA completes the process provided by Section 7321(e) of the NDAA.

Via the considerations described above, 170 chemicals were identified. Additionally, the NDAA specifically identified fourteen PFAS for addition to the TRI list. Twelve of these fourteen chemicals were among the chemicals described above; with the addition of the other two, there are a total of 172 PFAS subject to the NDAA. See Appendix E of this document.

Under the automatic listing provisions of the 2020 NDAA, four additional PFAS were added for reporting year 2021. The four new PFAS are: Silver(I) perfluorooctanoate (335-93-3), Perfluorooctyl iodide (507-63-1), Potassium perfluorooctanoate (2395-00-8), and 2-Propenoic acid, 2-methyl-, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,12-heneicosafuorododecyl ester, polymer with 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,10-heptadecafluorodecyl 2-methyl-2-propenoate, methyl 2-methyl-2-propenoate, 3,3,4,4,5,5,6,6,7,7,8,8,9,9,10,10,11,11,12,12,13,13,14,14,14-pentacosafuorotetradecyl 2-methyl-2-propenoate and 3,3,4,4,5,5,6,6,7,7,8,8,8-tridecafluorooctyl 2-methyl-2-propenoate (65104-45-2) . Reporting forms on these chemicals are due July 1, 2022, for 2021 data if TRI reporting thresholds are met.

These 180 PFAS have been added to the List of Lists as separate tables both alphabetically and in CASRN order. Additional information is available at: <https://www.epa.gov/toxics-release-inventory-tri-program/addition-certain-pfas-tri-national-defenseauthorization-act>