



NOTIFICATION

Addendum

The following communication, dated 1 November 2023, is being circulated at the request of the delegation of the United States of America.

Title: Changes to Reporting Requirements for Per- and Polyfluoroalkyl Substances and to Supplier Notifications for Chemicals of Special Concern; Community Right-to-Know Toxic Chemical Release Reporting

| Reason for Addendum: | |
|-------------------------------------|--|
| <input type="checkbox"/> | Comment period changed - date: |
| <input type="checkbox"/> | Notified measure adopted - date: |
| <input checked="" type="checkbox"/> | Notified measure published - date: 31 October 2023 |
| <input checked="" type="checkbox"/> | Notified measure enters into force - date: 30 November 2023; and shall apply for the reporting year beginning 1 January 2024 (reports due 1 July 2025). |
| <input checked="" type="checkbox"/> | Text of final measure available from ¹ : 88 Federal Register (FR) 74360, 40 Code of Federal Regulations (CFR) Part 372: https://www.govinfo.gov/content/pkg/FR-2023-10-31/html/2023-23413.htm https://www.ecfr.gov/current/title-40/chapter-I/subchapter-J/part-372 https://members.wto.org/crnattachments/2023/TBT/USA/final_measure/23_13254_00_e.pdf |
| <input type="checkbox"/> | Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified: |
| <input type="checkbox"/> | Content or scope of notified measure changed and text available from ¹ : New deadline for comments (if applicable): |
| <input type="checkbox"/> | Interpretive guidance issued and text available from ¹ : |
| <input type="checkbox"/> | Other: |

Description: The Environmental Protection Agency (EPA) is adding per- and polyfluoroalkyl substances (PFAS) subject to reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA) pursuant to the [National Defense Authorization Act for Fiscal Year 2020](#) (NDAA) to the list of Lower Thresholds for [Chemicals of Special Concern](#) (chemicals of special concern). These PFAS already have a lower reporting activity threshold

¹ This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained.

of 100 pounds. The addition of these PFAS to the list of chemicals of special concern means such PFAS are subject to the same reporting requirements as other chemicals of special concern (i.e., it eliminates the use of the de minimis exemption and the option to use Form A and would limit the use of range reporting for PFAS). Removing the availability of these burden-reduction reporting options will result in a more complete picture of the releases and waste management quantities for these PFAS. EPA is removing the availability of the

de minimis exemption for purposes of the Supplier Notification Requirements for all chemicals on the list of chemicals of special concern. This will help ensure that purchasers of mixtures and trade name products containing such chemicals are informed of their presence in mixtures and products they purchase to better inform any Toxics Release Inventory (TRI) reporting obligations.

This final rule is effective 30 November 2023 and shall apply for the reporting year beginning 1 January 2024 (reports due 1 July 2025). It and the proposed rule notified as [G/TBT/N/USA/1950](#) are identified by Docket Number EPA-HQ-TRI-2022-0270. The Docket Folder is available on [Regulations.gov](#) at <https://www.regulations.gov/docket/EPA-HQ-TRI-2022-0270/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](#) by searching the Docket Number.
