

Toxics Release Inventory/Community Right-to-Know: U.S. Environmental Protection Agency Final Rule Adding Diisononyl Phthalate



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The United States Environmental Protection Agency (“EPA”) published a final rule in the July 14th Federal Register adding diisononyl phthalate (“DP”) to the list of toxic chemicals subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act (“EPCRA”). See 88 Fed. Reg. 45089.

EPA states that DI meets the EPCRA chronic human health effects toxicity criterion because members of the category can reasonably be anticipated to cause:

- Serious or irreversible reproductive dysfunctions.
- Other serious or irreversible chronic health effects in humans.

The Toxics Release Inventory (“TRI”) is a publicly available database that contains information on toxic chemical releases and other waste management activities reported annually to EPA by certain covered industry groups as well as federal facilities. It was established pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 and subsequently expanded by the Pollution Prevention Act of 1990. Facilities in certain industries which manufacture, process, or use significant amounts of toxic chemicals, are required to report on their releases of these chemicals on an annual basis.

The TRI contains information on releases of over 650 chemicals in chemical categories from industries including manufacturing, metal and coal mining, electric utilities, and commercial hazardous waste treatment (among others). Such companies that manufacture, process, or otherwise use specified toxic chemicals in amounts above reporting threshold levels are required to submit reports to EPA and to designated state officials.

A copy of the Federal Register Notice can be downloaded [here](#).