

PBT Final Rule Summary

1) EPA is adding seven chemicals and two chemical compound categories to the list of toxic chemicals subject to reporting under EPCRA section 313. These chemicals include:

- I. benzo(g,h,i)perylene,
- II. benzo(j,k)fluorene (fluoranthene) (as a member of the PACs category),
- III. 3-methylcholanthrene (as a member of the PACs category),
- IV. octochlorostyrene,
- V. pentachlorobenzene,
- VI. tetrabromobisphenol A (TBBPA),
- VII. vanadium¹ (except when contained in an alloy),
- VIII. vanadium compounds, and
- IX. dioxin and dioxin-like compounds (manufacturing; and the processing or otherwise use of dioxin and dioxin-like compounds if the dioxin and dioxin-like compounds are present as contaminants in a chemical and if they were created during the manufacturing of that chemical).

2) EPA is lowering reporting thresholds for 18 chemicals and chemical categories that meet the EPCRA section 313 criteria for persistence and bioaccumulation. These chemicals and their final thresholds are listed in the table below:

Reporting Thresholds for EPCRA Section 313 Listed PBT Chemicals

Chemical Name or Chemical Category	CASRN	Section 313 Reporting Threshold (in pounds unless noted other-wise)
Aldrin	309-00-2	100
Benzo(g,h,i)perylene	191-24-2	10
Chlordane	57-74-9	10
Dioxin and dioxin-like compounds category (manufacturing; and the processing or otherwise use of dioxin and dioxin-like compounds if the dioxin and dioxin-like compounds are present as contaminants in a chemical and if they were created during the manufacturing of that chemical)	NA	0.1 grams
Heptachlor	76-44-8	10
Hexachlorobenzene	118-74-1	10
Isodrin	465-73-6	10
Methoxychlor	72-43-5	100
Octachlorostyrene	29082-74-4	10

¹Vanadium has been on the list since 1987 with the qualifier: “fume or dust.”

Pendimethalin	40487-42-1	100
Pentachlorobenzene	608-93-5	10
Polycyclic aromatic compounds category	NA	100
Polychlorinated biphenyl (PCBs)	1336-36-3	10
Tetrabromobisphenol A	79-94-7	100
Toxaphene	8001-35-2	10
Trifluralin	1582-09-8	100
Mercury	7439-97-6	10
Mercury compounds	NA	10

EPA is deferring its decision for two chemicals and one chemical category. Specifically, EPA is deferring a determination on dicofol while the Agency continues to review the available persistence data. EPA is also deferring its decision on cobalt and cobalt compounds because it needs to further investigate the bioaccumulative potential of these chemicals.

3) EPA is finalizing the thresholds it proposed for PBT chemicals in the January 5, 1999 (64 FR 688) **Federal Register**. Specifically, EPA is finalizing two thresholds based the chemicals' potential to persist and bioaccumulate in the environment. The two levels include setting section 313 manufacture, process, and otherwise use thresholds to 100 pounds for PBT chemicals and to 10 pounds for that subset of PBT chemicals that are highly persistent and highly bioaccumulative. One exception is the dioxin and dioxin-like compounds category. EPA is setting the threshold for the dioxin and dioxin-like compound category at 0.1 gram.

4) EPA is eliminating the *de minimis* exemption for the PBT chemicals finalized today. However, this action will not affect the applicability of the *de minimis* exemption to the supplier notification requirements (40 CFR 372.45(d)(1)). EPA is also excluding all PBT chemicals from eligibility for the alternate threshold of 1 million pounds and eliminating for PBT chemicals range reporting for on-site releases and transfers off-site for further waste management. EPA has also provided guidance on the level of accuracy expected to be reported under this rule.