



Right to Know and Pollution Prevention Requirements Added for 9 New PFAS Chemicals

Who is affected by this Advisory?

Facilities in New Jersey subject to the Community Right to Know (CRTK) program and the Pollution Prevention (P2) program will be subject to reporting nine (9) new and additional Per- and Polyfluoroalkyl Substances (PFAS) on the New Jersey CRTK Survey, the Release and Pollution Prevention Report (RPPR), and in their P2 Plans and P2 Plan Summaries.

Why is DEP issuing this Advisory?

These nine (9) PFAS were added to the Toxic Release Inventory (TRI) list pursuant to the Fiscal Year 2020 Section 7321 of the National Defense Authorization Act, which provides the framework for the automatic addition of PFAS to TRI each year in response to certain U.S. Environmental Protection Agency (USEPA) activities involving such PFAS. For TRI Reporting Year (RY) 2023 (TRI reporting forms due by July 1, 2024), reporting is required for the nine (9) additional PFAS, bringing the total PFAS subject to TRI reporting to 189. These nine (9) new chemicals are also subject to reporting on the New Jersey CRTK Survey and the RPPR for 2023 and beyond. The newly added chemicals are:

<u>Chemical name</u>	<u>CAS No.</u>
Alcohols, C8-16, γ - ω -perfluoro, reaction products with 1,6-diisocyanatohexane, glycidol and stearyl alc.	2728655-42-1
Acetamide, N-[3-(dimethylamino)propyl]-, 2-[(γ - ω -perfluoro-C4-20-alkyl)thio]. derivs	2738952-61-7
Acetic acid, 2-[(γ - ω -perfluoro-C4-20-alkyl)thio] derivs., 2-hydroxypropyl esters	2744262-09-5
Acetamide, N-(2-aminoethyl)-, 2-[(γ - ω -perfluoro-C4-20-alkyl)thio] derivs., polymers with N1,N1-dimethyl-1,3-propanediamine, epichlorohydrin and ethylenediamine, oxidized	2742694-36-4
Ammonium perfluorobutanoate	10495-86-0
Perfluorobutanoate	45048-62-2
Perfluorobutanoic acid (PFBA)	375-22-4
Potassium perfluorobutanoate	2966-54-3
Sodium perfluorobutanoate	2218-54-4

COMPLIANCE ADVISORY

What should I do?

Track the uses of these chemicals at your facility to accurately prepare for the required reports in the upcoming year(s). Facilities in New Jersey will be subject to reporting PFAS on the New Jersey CRTK Survey and the RPPR for RY 2023. The threshold for reporting on the New Jersey CRTK Survey by March 1, 2024, is 500 pounds on site at any one time. The annual threshold for the RPPR due by July 1, 2024, is 100 pounds for the Manufacturing, Processing or Otherwise Use of these chemicals. The de minimis level for the nine (9) PFAS chemicals is one (1%) percent. It is important that reporting parameters such as facility storage, use, production, environmental releases, and waste management of these chemicals, per the requirements of the New Jersey CRTK Survey and the RPPR, be initiated as soon as possible so that accurate data for 2023 may be reported.

Who should I contact with questions?

For questions on CRTK reporting, please contact the New Jersey Department of Environmental Protection (NJDEP) via e-mail at RTK@dep.nj.gov.

For questions on the RPPR, please contact the Pollution Prevention Program at 609-777-0518.

Where can I get more information?

The following web sites can be accessed for additional information regarding this advisory:

- Community Right to Know Program: <https://www.nj.gov/dep/enforcement/crtk.html>
- Pollution Prevention Program: <https://www.nj.gov/dep/enforcement/pp.html>
- General NJDEP Contact Information: <https://dep.nj.gov/contact>
- Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances to the TRI Chemical List: <https://www.epa.gov/toxics-release-inventory-tri-program/tri-laws-and-regulatory-activities#1>
- Compliance Advisories Survey: <https://www.nj.gov/dep/enforcement/survey.html>
- Air Pollution Program: <https://dep.nj.gov/boss/>
- Small Business Environmental Assistance Program: <https://www.state.nj.us/dep/ages/sbap/index.html>
- Addition of certain PFAS to TRI by the National Defense Authorization Act: <https://www.epa.gov/toxics-release-inventory-tri-program/addition-certain-pfas-tri-national-defense-authorization-act>

This advisory is intended to be a summary explanation. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the programs listed above.