



Community Right to Know and Pollution Prevention Programs	Issued: February 23, 2024	#2024-03
---	---------------------------	----------

Right to Know and Pollution Prevention Requirements added for Diisononyl Phthalate Chemical Category

Who is affected by this Advisory?

Facilities in New Jersey (NJ) subject to the Community Right to Know (CRTK) program and the Pollution Prevention (P2) program will be subject to reporting a new chemical category – Diisononyl Phthalate (DINP) - on the NJ CRTK Survey, the Release and Pollution Prevention Report (RPPR), and in their P2 Plans and P2 Plan Summaries.

Why is DEP issuing this Advisory?

With a final rule notice in the Federal Register on July 14, 2023 (88 FR 45089), the U.S. Environmental Protection Agency (EPA) added a new chemical category - Diisononyl Phthalate (DINP) - to the list of chemicals covered by the Toxics Release Inventory (TRI) under Section 313 of the federal Emergency Planning and Community Right to Know Act and the federal Pollution Prevention Act. For TRI Report Year (RY) 2024 reporting is required for the DINP category with TRI reporting forms due by July 1, 2025. DINP includes branched alkyl di-esters of 1,2-benzenedicarboxylic acid in which alkyl ester moieties contain a total of nine carbons. This category includes, but is not limited to, the chemicals covered by the names and Chemical Abstracts Service Registry Numbers listed here:

<u>Chemical Name</u>	<u>CAS Number</u>
Diisononyl phthalate	28553-12-0
Branched dinonyl phthalate	71549-78-5
Bis(3,5,5-trimethylhexyl) phthalate	14103-61-8
Di(C8-10, C9 rich) branched alkyl phthalates	68515-48-0
Bis(7-methyloctyl) phthalate	20548-62-3
Bis(3-ethylheptan-2-yl) benzene-1,2-dicarboxylate	111983-10-9

COMPLIANCE ADVISORY

What should I do?

Effective January 1, 2024, track the uses of these chemicals at your facility to accurately prepare for the required DINP reports in the upcoming year(s). Facilities in New Jersey will be subject to reporting the DINP category on the New Jersey CRTK Survey and the RPPR for Report Year 2024. The threshold for reporting on the New Jersey CRTK Survey by March 1, 2025, is 500 pounds on site at any one time. The annual threshold for the RPPR due by July 1, 2025, is 25,000 pounds for the Manufacturing or Processing of DINPs and 10,000 pounds for Otherwise Use of these chemicals. The de minimis level for the DINP category is one (1%) percent. It is important that reporting parameters (quantities) such as facility storage amount, use, production, environmental releases, and waste management of these chemicals, per the requirements of the New Jersey CRTK Survey and the RPPR, be initiated so that accurate data for 2024 may be reported in 2025.

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 and P2 program, 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>
- EPA Requires Toxics Release Inventory Reporting on DINP: <https://www.epa.gov/chemicals-under-tsca/epa-requires-toxics-release-inventory-reporting-dinp>
- Air Pollution Program: <https://dep.nj.gov/boss/>
- Small Business Environmental Assistance Program: <https://dep.nj.gov/sustainability/sbap/>

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.