

Advocacy Comments on EPA's Proposed Addition of HHCB to the TRI

In response to a petition filed under the Emergency Planning and Community Right-to-Know Act (EPCRA), on October 18, 2021, EPA proposed to add 1,3,4,6,7,8-hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[g]-2-benzopyran (HHCB), along with 11 other chemicals, to the list of toxic chemicals subject to the reporting requirements under EPCRA and the Pollution Prevention Act (PPA), which will require reporting in the Toxic Release Inventory publicly available database. Moreover, EPA is proposing to add HHCB to the list of chemicals of special concern as a persistent, bioaccumulative, and toxic chemical with the lower, 100-pound, reporting threshold. HHCB is primarily used as a fragrance additive in a number of consumer products. Prior to its incorporation into a final product, HHCB is processed with various other chemicals and is therefore used throughout the supply chain, various layers removed from the manufacturer or importer.

On December 17, 2021, Advocacy filed public comment on this proposed rule. Advocacy is concerned about the impact of this rule given the extremely low threshold for reporting and the multiple downstream users of HHCB who would be subject to the rule's requirements. Advocacy recommends the agency:

1. assess the number of small entities that could be subject to the proposed requirements using the most recently available information; and
2. engage in targeted outreach to address any gaps in its analysis and to offer compliance assistance to the potentially regulated small entities.

These improvements will allow the agency to promulgate a rule that takes small business impacts into account, achieves its statutory goals, and ensures compliance with its rule.

A complete copy of Advocacy's letter to EPA is available [on the Advocacy website](#). For more information, please contact Tayyaba Zeb, Assistant Chief Counsel, at tayyaba.zeb@sba.gov.

