

the Tribal reserved right in adopting or revising designated uses pursuant to § 131.10;

(2) Take into consideration the anticipated future exercise of the Tribal reserved right unsuppressed by water quality in establishing relevant water quality standards; and

(3) Establish water quality criteria, consistent with § 131.11, to protect the Tribal reserved right where the State has adopted designated uses that either expressly incorporate protection of or encompass the right. This requirement includes developing criteria to protect right holders using at least the same risk level (e.g., cancer risk level, hazard quotient, or illness rate) as the State would otherwise use to develop criteria to protect the State's general population, paired with exposure inputs (e.g., fish consumption rate) representative of right holders exercising their reserved right.

(b) States and right holders may request EPA assistance with evaluating Tribal reserved rights. EPA will provide such assistance to the extent practicable. In providing assistance to States as they adopt and revise water quality standards consistent with paragraph (a) of this section, EPA will engage with right holders.

(c) In reviewing State water quality standards submissions under this section, EPA will initiate the Tribal consultation process with the right holders that have asserted their rights for consideration in establishment of water quality standards, consistent with applicable EPA Tribal consultation policies, in determining whether State water quality standards are consistent with paragraph (a) of this section.

### Subpart C—Procedures for Review and Revision of Water Quality Standards

■ 6. Amend § 131.20 by revising paragraph (a) to read as follows:

#### § 131.20 State review and revision of water quality standards.

(a) *State review.* The State shall from time to time, but at least once every 3 years, hold public hearings for the purpose of reviewing applicable water quality standards adopted pursuant to §§ 131.9 through 131.15 and Federally promulgated water quality standards and, as appropriate, modifying and adopting standards. This review shall include evaluating whether there is any new information available about Tribal reserved rights applicable to State waters that needs to be considered to establish water quality standards consistent with § 131.9. The State shall also re-examine any waterbody segment

with water quality standards that do not include the uses specified in section 101(a)(2) of the Act every 3 years to determine if any new information has become available. If such new information indicates that the uses specified in section 101(a)(2) of the Act are attainable, the State shall revise its standards accordingly. Procedures States establish for identifying and reviewing water bodies for review should be incorporated into their Continuing Planning Process. In addition, if a State does not adopt new or revised criteria for parameters for which EPA has published new or updated CWA section 304(a) criteria recommendations, then the State shall provide an explanation when it submits the results of its triennial review to the Regional Administrator consistent with CWA section 303(c)(1) and the requirements of paragraph (c) of this section.

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BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 372

[EPA–HQ–TRI–2022–0262; FRL–2425.1–05–OCSPP]

RIN 2025–AA17

### Addition of Diisononyl Phthalate Category; Community Right-to-Know Toxic Chemical Release Reporting; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Correcting amendment.

**SUMMARY:** The Environmental Protection Agency (EPA or the Agency) is correcting a final rule that appeared in the *Federal Register* on July 14, 2023, which added a diisononyl phthalates (DINP) category to the list of toxic chemicals subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA). However, the amendment could not be incorporated into the regulation due to an inaccurate amendatory instruction. This document corrects the amendatory instructions.

**DATES:** Effective on May 2, 2024.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA–HQ–TRI–2022–0262, is available at <https://www.regulations.gov>. Additional instructions on visiting the docket,

along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

*For technical information contact:* Rachel Dean, Data Collection Branch, Data Gathering, Management, and Policy Division (Mail code: 7406M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 566–1303; email address: [dean.rachel@epa.gov](mailto:dean.rachel@epa.gov).

*For general information contact:* The Emergency Planning and Community Right-to-Know Information Center; telephone number: (800) 424–9346 or (703) 348–5070 in the Washington, DC Area and International; website: <https://www.epa.gov/hotlines>.

#### SUPPLEMENTARY INFORMATION:

##### I. Does this action apply to me?

The Agency included in the July 14, 2023, final rule a list of those who may be potentially affected by this action.

##### II. What does this correction do?

EPA issued a final rule in the *Federal Register* on July 14, 2023 (88 FR 45089) (FRL–2425.1–03–OCSPP) which added a diisononyl phthalates (DINP) category to the list of toxic chemicals subject to the reporting requirements under the EPCRA and the PPA. In the final rule's instructions to amend the Code of Federal Regulations (CFR), EPA intended to add the DINP category alphabetically to the list of TRI chemical categories at 40 CFR 372.65(c). However, the list of TRI chemical categories in the CFR at the time had been incorporated as a static image of a table, which introduced formatting challenges with regard to updating 40 CFR 372.65(c) per the amendatory instructions in the DINP category rule because the Agency did not provide a new static image of the table. This document corrects the formatting in Table 3 to paragraph (c) of 40 CFR 372.65(c) by removing the static image of the table and replacing it with a table consisting of text and images of chemicals structures, as applicable.

##### III. Why is this correction issued as a final rule?

Section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)(3)(B)) provides that, when an agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest, the agency may issue a final rule without providing notice and an opportunity for public comment. EPA has determined that notice and public

procedure are unnecessary because EPA provided a full opportunity for notice and comment before issuing the final rule that published in the **Federal Register** on July 14, 2023, and this correction merely corrects the amendatory instructions to ensure that the rule is correctly codified in the CFR. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

**IV. Do any of the statutory and executive order review requirements apply to this action?**

No. For a detailed discussion concerning the statutory and executive order review requirements refer to Unit VI. of the final rule issued on July 14, 2023.

**V. Congressional Review Act (CRA)**

Pursuant to the CRA (5 U.S.C. 801 *et seq.*), EPA will submit a report

containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 372**

Environmental protection, Community right-to-know, Reporting and recordkeeping requirements, and Toxic chemicals.

Dated: April 24, 2024.

**Michal Freedhoff**

*Assistant Administrator, Office of Chemical Safety and Pollution Prevention.*

Therefore, for the reasons set forth in the preamble, EPA is amending 40 CFR part 372 as follows:

**PART 372—TOXIC CHEMICAL  
RELEASE REPORTING: COMMUNITY  
RIGHT-TO-KNOW**

■ 1. The authority citation for part 372 continues to read as follows:

**Authority:** 42 U.S.C. 11023 and 11048.

■ 2. In § 372.65, amend Table 3 in paragraph (c) to read as follows:

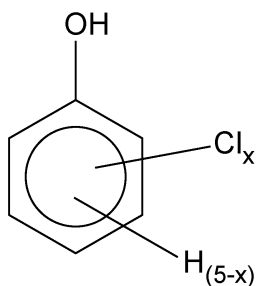
**§ 372.65 Chemicals and chemical categories to which this part applies.**

\* \* \* \* \*

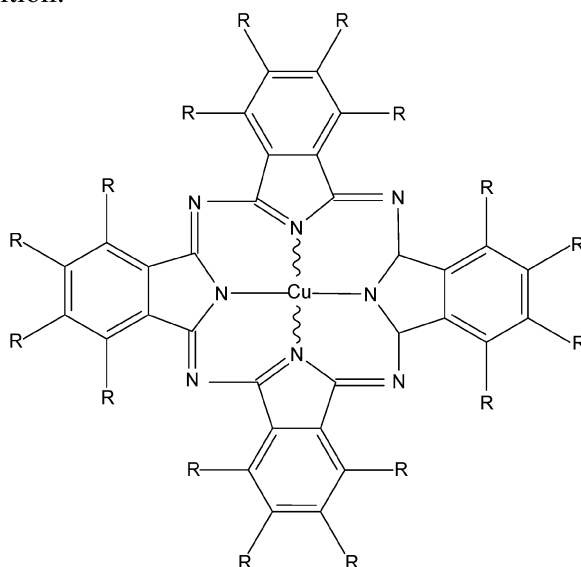
(c) \* \* \*

**Table 3 to Paragraph (c)**

**BILLING CODE 6560–50–P**

Category name	Effective Date
Antimony compounds: Includes any unique chemical substance that contains antimony as part of that chemical's infrastructure.	1/1/1987
Arsenic compounds: Includes any unique chemical substance that contains arsenic as part of that chemical's infrastructure.	1/1/1987
Barium compounds: Includes any unique chemical substance that contains barium as part of that chemical's infrastructure (except for barium sulfate (CAS No. 7727-43-7)).	1/1/1987
Beryllium compounds: Includes any unique chemical substance that contains beryllium as part of that chemical's infrastructure.	1/1/1987
Cadmium compounds: Includes any unique chemical substance that contains cadmium as part of that chemical's infrastructure.	1/1/1987
Certain glycol ethers $R-(OCH_2CH_2)_n-OR'$ Where: $n = 1, 2, \text{ or } 3;$ $R = \text{alkyl C7 or less; or}$ $R = \text{phenyl or alkyl substituted phenyl;}$ $R' = H \text{ or alkyl C7 or less; or}$ $OR'$ consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.	1/1/1995
Chlorophenols  Where $x = 1 \text{ to } 5$	1/1/1987
Chromium compounds: Includes any unique chemical substance that contains chromium as part of that chemical's infrastructure (except for chromite ore mined in the Transvaal Region of South Africa and the unreacted ore component of the chromite ore processing residue (COPR). COPR is the solid waste remaining after aqueous extraction of oxidized chromite ore that has been combined with soda ash and kiln roasted at approximately 2,000 °F).	1/1/1987
Cobalt compounds: Includes any unique chemical substance that contains cobalt as part of that chemical's infrastructure.	1/1/1987

Copper compounds: Includes any unique chemical substance that contains copper as part of that chemical's infrastructure (except for C.I. Pigment Blue 15 (PB-15, CAS No. 147-14-8), C.I. Pigment Green 7 (PG-7, CAS No. 1328-53-6), and C.I. Pigment Green 36 (PG-36, CAS No. 14302-13-7)) and except copper phthalocyanine compounds that are substituted with only hydrogen and/or bromine and/or chlorine that meet the following molecular structure definition:



Where R = H and/or Br and/or Cl only.

1/1/1987

Cyanide compounds:  $X^+CN^-$  where  $X^+$  = any group (except  $H^+$ ) where a formal dissociation can be made. For example, KCN or  $Ca(CN)_2$ .

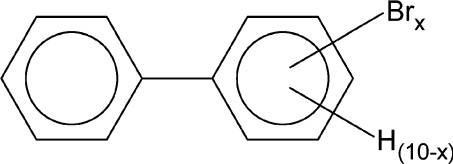
1/1/1987

Diisocyanates (This category includes only those chemicals listed below)

1/1/1995

38661-72-2	1,3-Bis(methylisocyanate)cyclohexane
10347-54-3	1,4-Bis(methylisocyanate)cyclohexane (1,4-Bis(isocyanatomethyl)cyclohexane)
2556-36-7	1,4-Cyclohexane diisocyanate
134190-37-7	Diethyldiisocyanatobenzene
4128-73-8	4,4'-Diisocyanatodiphenyl ether
75790-87-3	2,4'-Diisocyanatodiphenyl sulfide
91-93-0	3,3'-Dimethoxybenzidine-4,4'-diisocyanate
91-97-4	3,3'-Dimethyl-4,4'-diphenylene diisocyanate
139-25-3	3,3'-Dimethyldiphenylmethane-4,4'-diisocyanate
822-06-0	Hexamethylene-1,6-diisocyanate
4098-71-9	Isophorone diisocyanate
75790-84-0	4-Methyldiphenylmethane-3,4-diisocyanate
5124-30-1	1,1-Methylene bis(4-isocyanatocyclohexane)
101-68-8	4,4'-Methylenedi(phenyl isocyanate)
3173-72-6	1,5-Naphthalene diisocyanate
123-61-5	1,3-Phenylene diisocyanate
104-49-4	1,4-Phenylene diisocyanate
9016-87-9	Polymeric diphenylmethane diisocyanate
16938-22-0	2,2,4-Trimethylhexamethylene diisocyanate
15646-96-5	2,4,4-Trimethylhexamethylene diisocyanate

<p>Diisononyl Phthalates (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 CAS numbers and names listed here).</p> <p>28553-12-0 Diisononyl phthalate  71549-78-5 Branched dinonyl phthalate  14103-61-8 Bis(3,5,5-trimethylhexyl) phthalate  68515-48-0 Di(C8-10, C9 rich) branched alkyl phthalates  20548-62-3 Bis(7-methyloctyl) phthalate  111983-10-9 Bis(3-ethylheptan-2-yl) benzene-1,2-dicarboxylate</p>	1/1/2024
<p>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.) (This category includes only those chemicals listed below).</p> <p>67562-39-4 1,2,3,4,6,7,8-Heptachlorodibenzofuran  55673-89-7 1,2,3,4,7,8,9-Heptachlorodibenzofuran  35822-46-9 1,2,3,4,6,7,8-Heptachlorodibenzo-<i>p</i>-dioxin  39227-28-6 1,2,3,4,7,8-Hexachlorodibenzo-<i>p</i>-dioxin  57653-85-7 1,2,3,6,7,8-Hexachlorodibenzo-<i>p</i>-dioxin  19408-74-3 1,2,3,7,8,9-Hexachlorodibenzo-<i>p</i>-dioxin  70648-26-9 1,2,3,4,7,8-Hexachlorodibenzofuran  57117-44-9 1,2,3,6,7,8-Hexachlorodibenzofuran  72918-21-9 1,2,3,7,8,9-Hexachlorodibenzofuran  60851-34-5 2,3,4,6,7,8-Hexachlorodibenzofuran  39001-02-0 1,2,3,4,6,7,8,9-Octachlorodibenzofuran  3268-87-9 1,2,3,4,6,7,8,9-Octachlorodibenzo-<i>p</i>-dioxin  57117-41-6 1,2,3,7,8-Pentachlorodibenzofuran  57117-31-4 2,3,4,7,8-Pentachlorodibenzofuran  40321-76-4 1,2,3,7,8-Pentachlorodibenzo-<i>p</i>-dioxin  51207-31-9 2,3,7,8-Tetrachlorodibenzofuran  1746-01-6 2,3,7,8-Tetrachlorodibenzo-<i>p</i>-dioxin</p>	1/1/2000
Ethylenebisdithiocarbamic acid, salts and esters.	1/1/1994
<p>Hexabromocyclododecane (This category includes only those chemicals covered by the CAS numbers listed here)</p> <p>3194-55-6 1,2,5,6,9,10-Hexabromocyclododecane  25637-99-4 Hexabromocyclododecane</p>	1/1/2017
Lead compounds: Includes any unique chemical substance that contains lead as part of that chemical's infrastructure.	1/1/1987
Manganese compounds: Includes any unique chemical substance that contains manganese as part of that chemical's infrastructure.	1/1/1987
Mercury compounds: Includes any unique chemical substance that contains mercury as part of that chemical's infrastructure.	1/1/1987
Nickel compounds: Includes any unique chemical substance that contains nickel as part of that chemical's infrastructure.	1/1/1987
Nicotine and salts.	1/1/1995
Nitrate compounds (water dissociable; reportable only when in aqueous solution).	1/1/1995

<p>Nonylphenol (This category includes only those chemicals listed below).</p> <p>104-40-5 4-Nonylphenol (<i>p</i>-Nonylphenol)</p> <p>11066-49-2 Isononylphenol</p> <p>25154-52-3 Nonylphenol</p> <p>26543-97-5 4-Isononylphenol</p> <p>84852-15-3 4-Nonylphenol, branched (Branched <i>p</i>-nonylphenol)</p> <p>90481-04-2 Nonylphenol, branched</p>	1/1/2015
<p>Nonylphenol Ethoxylates (This category includes only those chemicals covered by the CAS numbers listed here).</p> <p>7311-27-5 Ethanol, 2-[2-[2-(4-nonylphenoxy)ethoxy]ethoxy]ethoxy]-</p> <p>9016-45-9 Poly(oxy-1,2-ethanediyl), <math>\alpha</math>-(nonylphenyl)-<math>\omega</math>-hydroxy-; (Polyethylene glycol nonylphenyl ether)</p> <p>20427-84-3 Ethanol, 2-[2-(4-nonylphenoxy)ethoxy]-; (2-[2-(4-Nonylphenoxy)ethoxy]ethanol)</p> <p>26027-38-3 Poly(oxy-1,2-ethanediyl), <math>\alpha</math>-(4-nonylphenyl)-<math>\omega</math>-hydroxy-; (<i>p</i>-Nonylphenol polyethylene glycol ether)</p> <p>26571-11-9 3,6,9,12,15,18,21,24-Octaoxahexacosan-1-ol, 26-(nonylphenoxy)-</p> <p>27176-93-8 Ethanol, 2-[2-(nonylphenoxy)ethoxy]-; (Diethylene glycol nonylphenol ether)</p> <p>27177-05-5 3,6,9,12,15,18,21-Heptaoxatricosan-1-ol, 23-(nonylphenoxy)-</p> <p>27177-08-8 3,6,9,12,15,18,21,24,27-Nonaoxanonacosan-1-ol, 29-(nonylphenoxy)-</p> <p>27986-36-3 Ethanol, 2-(nonylphenoxy)-; (2-(Nonylphenoxy)ethanol)</p> <p>37205-87-1 Poly(oxy-1,2-ethanediyl), <math>\alpha</math>-(isononylphenyl)-<math>\omega</math>-hydroxy-</p> <p>51938-25-1 Poly(oxy-1,2-ethanediyl), <math>\alpha</math>-(2-nonylphenyl)-<math>\omega</math>-hydroxy-</p> <p>68412-54-4 Poly(oxy-1,2-ethanediyl), <math>\alpha</math>-(nonylphenyl)-<math>\omega</math>-hydroxy-, branched; (Polyethylene glycol mono(branched nonylphenyl) ether)</p> <p>127087-87-0 Poly(oxy-1,2-ethanediyl), <math>\alpha</math>-(4-nonylphenyl)-<math>\omega</math>-hydroxy-, branched; (Polyethylene glycol mono(branched <i>p</i>-nonylphenyl) ether)</p>	1/1/2019
<p>Polybrominated biphenyls (PBBs)</p>  <p>Where <math>x = 1</math> to <math>10</math></p>	1/1/1987
<p>Polychlorinated alkanes (<math>C_{10}</math> to <math>C_{13}</math>): Includes those chemicals defined by the following formula:</p> $C_xH_{2x-y+2}Cl_y$ <p>where <math>x = 10</math> to <math>13</math>;  <math>y = 3</math> to <math>12</math>; and where the average chlorine content ranges from 40-70% with the limiting molecular formulas <math>C_{10}H_{19}Cl_3</math> and <math>C_{13}H_{16}Cl_{12}</math></p>	1/1/1995

Polycyclic aromatic compounds (PACs): (This category includes only those chemicals listed below).	1/1/1995
56-55-3 Benz[a]anthracene	
218-01-9 Benzo[a]phenanthrene (Chrysene)	
50-32-8 Benzo[a]pyrene	
205-99-2 Benzo[b]fluoranthene	
205-82-3 Benzo[j]fluoranthene	
207-08-9 Benzo[k]fluoranthene	
206-44-0 Benzo[j,k]fluorene (Fluoranthene)	1/1/2000
189-55-9 Benzo[r,s,t]pentaphene (Dibenzo[a,i]pyrene)	
226-36-8 Dibenz[a,h]acridine	
224-42-0 Dibenz[a,j]acridine	
53-70-3 Dibenzo[a,h]anthracene (Dibenz[a,h]anthracene)	
5385-75-1 Dibenzo[a,e]fluoranthene	
192-65-4 Dibenzo[a,e]pyrene	
189-64-0 Dibenzo[a,h]pyrene	
191-30-0 Dibenzo[a,l]pyrene	
194-59-2 7H-Dibenzo[c,g]carbazole	
57-97-6 7,12-Dimethylbenz[a]anthracene	
42397-64-8 1,6-Dinitropyrene	1/1/2011
42397-65-9 1,8-Dinitropyrene	1/1/2011
193-39-5 Indeno[1,2,3-cd]pyrene	
56-49-5 3-Methylcholanthrene	1/1/2000
3697-24-3 5-Methylchrysene	
7496-02-8 6-Nitrochrysene	1/1/2011
5522-43-0 1-Nitropyrene	
57835-92-4 4-Nitropyrene	1/1/2011
Selenium compounds: Includes any unique chemical substance that contains selenium as part of that chemical's infrastructure.	1/1/1987
Silver compounds: Includes any unique chemical substance that contains silver as part of that chemical's infrastructure.	1/1/1987
Strychnine and salts.	1/1/1995
Thallium compounds: Includes any unique chemical substance that contains thallium as part of that chemical's infrastructure.	1/1/1987
Vanadium compounds.	1/1/2000
Warfarin and salts.	1/1/1994
Zinc compounds: Includes any unique chemical substance that contains zinc as part of that chemical's infrastructure.	1/1/1987

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