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Addition of NPEs Category to TRI List Final Rule

Basic Information

Legal Authorities:

- [42 U.S.C. §11023](#)
- [42 U.S.C. §11048](#)

Federal Register Citation:

- [83 FR 27291](#)

Code of Federal Regulations Citation

- [40 CFR Part 372](#)

Docket Number

- [EPA-HQ-TRI-2016-0222](#)

Effective Date

- 11/30/2018

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Rule Summary

On June 7, 2018, EPA finalized a rule that adds a category of 13 specific nonylphenol ethoxylates (NPEs) to the Toxics Release Inventory (TRI) list of reportable chemicals. NPEs are nonionic surfactants used in adhesives, wetting agents, emulsifiers, stabilizers, dispersants, defoamers, cleaners, paints, and coatings.

The final rule is effective for the 2019 TRI reporting year with the first forms due July 1, 2020.

EPA finalized this rule because we have determined that longer-chain NPEs can break down in the environment to short-chain NPEs and nonylphenol, both of which are highly toxic to aquatic organisms. For this reason, EPA has determined that NPEs meet the Emergency Planning and Community Right-to-Know Act (EPCRA) section 313(d)(2)(C) toxicity listing criteria.

Rule History

Basis for Adding an NPEs Category

EPA has determined that NPEs meet the EPCRA section 313(d)(2)(C) environmental effects listing criteria based on the available toxicity data, which indicate that short-chain NPEs are highly toxic to aquatic organisms. Long-chain NPEs, while not as toxic as short-chain NPEs, can break down to short-chain NPEs and nonylphenol, both of which are highly toxic to aquatic organisms.

Definition of the NPEs Category

EPA has created an NPEs category that covers 13 NPEs as identified through Chemical Abstracts Service Registry Numbers (CASRNs) and names:

CAS Number	Chemical Name
7311-27-5	Ethanol, 2-[2-[2-[2-(4-nonylphenoxy)ethoxy]ethoxy]ethoxy]-
9016-45-9	Poly(oxy-1,2-ethanediyl), α -(nonylphenyl)- ω -hydroxy-
20427-84-3	Ethanol, 2-[2-(4-nonylphenoxy)ethoxy]-
26027-38-3	Poly(oxy-1,2-ethanediyl), α -(4-nonylphenyl)- ω -hydroxy-
26571-11-9	3,6,9,12,15,18,21,24-Octaoxahexacosan-1-ol, 26-(nonylphenoxy)-
27176-93-8	Ethanol, 2-[2-(nonylphenoxy)ethoxy]-

CAS Number	Chemical Name
27177-05-5	3,6,9,12,15,18,21-Heptaotricosan-1-ol, 23-(nonylphenoxy)-
27177-08-8	3,6,9,12,15,18,21,24,27-Nonaoxanonacosan-1-ol, 29-(nonylphenoxy)-
27986-36-3	Ethanol, 2-(nonylphenoxy)-
37205-87-1	Poly(oxy-1,2-ethanediyl), α -(isononylphenyl)- ω -hydroxy-
51938-25-1	Poly(oxy-1,2-ethanediyl), α -(2-isononylphenyl)- ω -hydroxy-
68412-54-4	Poly(oxy-1,2-ethanediyl), α -(nonylphenyl)- ω -hydroxy-, branched
127087-87-0	Poly(oxy-1,2-ethanediyl), α -(4-nonylphenyl)- ω -hydroxy-, branched

Facilities that manufacture, process or otherwise use NPEs covered under these names and CASRNs file just one TRI reporting form.

Uses of NPEs

NPEs are nonionic surfactants used in adhesives, wetting agents, emulsifiers, stabilizers, dispersants, defoamers, cleaners, paints, and coatings.

Additional Resources

[Federal Register notice for the proposed Addition of NPEs Category rule.](#)

[Learn more about NPEs.](#)

Compliance

EPA estimates that 178 facilities will be affected by this rule. 114 of these facilities are each expected to submit a TRI reporting Form R containing release and waste management data for NPEs. The other 64 facilities are expected to submit the shorter TRI reporting Form A.

