

## Appendix E: Reporting Form R and Form A Changes and Associated Instruction Revisions

New revisions to the Form R and Form A instructions follow. These revisions are aimed at improving the user experience by clarifying the intent of questions. An overview of changes made in this version of the Form R and Form A is provided in Table B-1 below. Revisions to the instructions are identified in the subsequent pages. Sections of the instructions that remain unchanged are not referenced. To review the existing instructions, *Toxic Chemical Release Inventory Reporting Forms and Instructions – Revised 2016 Version*, visit [https://ofmpub.epa.gov/apex/guideme\\_ext/f?p=guideme\\_ext:41](https://ofmpub.epa.gov/apex/guideme_ext/f?p=guideme_ext:41).

### Revisions to Form R and Form A

**Table 1: Overview of Form R and Form A Revisions**  
*Please refer to specific sections in the following text for details*

	<b>Form Revision</b>	<b>Rationale</b>	<b>Form</b>
1	Provide Bureau of Indian Affairs (BIA) code as a separate element on the form. (Part I: Section 4.1)	Moving the tribal Bureau of Indian Affairs (BIA) code from the City/County/Tribe/State/ZIP Code field to its own box will increase visual clarity on the form and should increase data quality for this element by ensuring it appears as a discrete element reported as appropriate. No new information is required, and a facility that reports a BIA code need not provide a State abbreviation in the address box for the facility’s physical location.	R/A
2	When reporting a metal compound, indicate whether report also includes the elemental metal. (Part II: Section 1)	TRI policy allows for a facility reporting on an elemental metal and a metal compound to include data on both the chemical and chemical category on a metal compound reporting form. However, a facility does not indicate whether the metal compound reporting form contains data for both the individual chemical and the chemical category. Including this data element will help data users understand the reported information and provides greater context on the data provided on the reporting form.	R/A
3	Add subcategories of uses. (Part II: Sections 3.2a, b and Sections 3.3a, b, c)	Facilities indicate whether the reported ECRA Section 313 chemical is manufactured (including imported), processed, or otherwise used by the facility and the general nature of such activities and uses at the facility during the calendar year. Reporting on certain sub-activities or sub-uses for some categories of processing activities and otherwise use would help inform data users regarding how a facility uses the chemical and could better enable technology transfers related to pollution prevention activities involving a particular chemical within an industry. These sub-activities and sub-uses primarily originate from TRI guidance provided to help facilities determine which activities and uses to select, and thus should add negligible burden given that facilities already track activities and uses related to a TRI-listed chemical during the year.	R
4	Add a checkbox for “recycling” under processing	Currently, a facility selects the “repackaging” checkbox in Section 3.2 if it processes or prepares an EPCRA Section 313 chemical (or product mixture) for distribution in commerce in	R

		a different form, state, or quantity for purposes of recycling. This change would update instructions for the “repackaging” checkbox to exclude these specific processing activities from its use and instruct a facility to use an added “recycling” checkbox for these activities.	
5	Additional optional classification of on-site disposal releases for “waste rock piles” (Part II, Section 5.5)	<p>Incorporating optional “Waste rock piles” into Section 5.5 of Form R (“Disposal to land onsite”).” Waste rock refers to rock that contains insufficient metal concentration to economically process at any given time and is thus typically removed from a mine to allow access to the ore-grade rock. Chemicals contained in waste rock would thus be classified as such when EPA and others examine TRI data. EPA believes that this change would be appropriate due in part to the magnitude of the quantities involved.</p> <p>Section 5.5 of the form already distinguishes between releases to different disposal units (such as “RCRA subtitle C landfills” or “surface impoundments”). Providing an optional check box to indicate the disposal of waste rock piles and an optional data field to indicate quantity of the Section 5.5 disposal that comprised of waste rock will similarly provide context about the characteristics of typical management practices associated with this type of disposal (e.g., federal and state agencies generally require that waste rock be contained to reduce the risk of contaminants being released).</p>	R
6	Add management codes for the transfer of waste to POTWs. (Part II: Section 6.1)	This proposed change to Form R streamlines the reporting of transfers to POTWs. This new format allows facilities to report quantities individually with waste management activities for each POTW, thereby aligning reporting of transfers to POTWs with how facilities report on quantities of chemicals sent to other off-site transfer locations. Because not all facilities may have POTW waste management information, EPA proposes two codes to allow facilities to report a code when the ultimate disposition is unknown. This change would make section 6.1 (i.e., reporting on transfers to POTWs) parallel the data elements provided in section 6.2 (i.e., transfers to other off-site locations). Facilities that know how effectively a given POTW can treat a particular chemical will be able to provide information on this treatment on their Form R.	R
7	Incorporate additional barrier code for use when a reduction does not appear to be technically feasible	This proposed addition would recognize that beyond the barrier codes already provided that there may be situations where a facility may find itself unable to conduct a source reduction activity for an industrial operation for reasons other than technical or financial support and may elect to provide information related to these situations.	R
8	Add a free text field for each chemical listed on Form A. (Part II: Section 9.2)	Facilities have long been able to provide optional information on a Form R. EPA proposes adding this ability to the Form A Certification Statement. Facilities could highlight changes to activities related to a chemical listed on the Form A so as to showcase pollution prevention activities as well as indicate other pertinent information related to use of the chemical onsite. Section 9.2 is proposed as the identifier to align the Section identifier with that of the Form R Section 9.1 free text field for miscellaneous information.	A

9	Incorporate burden statement	The burden statement will be incorporated in the instructions for completing Form R and Form A	R,/A
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**Specific Form Revisions and Associated Instruction Revisions**

**PART I FACILITY IDENTIFICATION INFORMATION**

**Section 4.1. Facility Name, Location, TRI Facility Identification Number and Tribal Country Name**

*Provide Bureau of Indian Affairs (BIA) code as a separate element on the form.*

If your facility is located on Indian country as defined by 18 USC §1151 you must enter the three-digit Bureau of Indian Affairs (BIA) tribal code in the "BIA Code" field. The BIA tribal codes are listed in Table III of the RFI. Facilities using TRI-MEweb to complete their forms will be asked if they are located within a tribe's Indian country and, upon answering "yes", be taken to a look-up table to determine the correct BIA code.

**PART II CHEMICAL IDENTIFICATION INFORMATION**

**Section 1. EPCRA Section 313 Chemical Identity**

*When reporting a metal compound, indicate whether report also includes the elemental metal.*

Threshold determinations for metal category compounds present a special case. If, for example, your facility processes several different nickel compounds, base your threshold determination on the total weight of all nickel compounds processed. However, if your facility processes both the "parent" metal (nickel) as well as one or more nickel compounds, you must make threshold determinations for both nickel (CAS number 7440-02-0) and nickel compounds (chemical category code N495) because they are separately listed EPCRA Section 313 chemicals. If your facility exceeds thresholds for both the parent metal and compounds of that same metal, EPA allows you to file one combined report (e.g., one report for nickel compounds, including nickel) because the release information you will report in connection with metal category compounds will be the total pounds of the metal released. If you file one combined report, you should put the name of the metal compound category on the Form R. In the example above, the facility that exceeded reporting thresholds for both the nickel and nickel compounds chemical category could submit a single Form R for the nickel compounds chemical category, which would contain release and other waste management information for both nickel and nickel compounds. Do not put both names on the Form R. TRI-MEweb will prompt you to select a checkbox to indicate whether the form contains reports for both the parent metal and compounds of that same metal.

The case of metal category compounds involving more than one metal should be noted. Some metal category compounds may contain more than one listed metal. For example, lead chromate is both a lead compound and a chromium compound. In such cases, if applicable thresholds are exceeded, you are required to file two separate reports, one for lead compounds and one for chromium compounds. Apply the total weight of the lead chromate to the threshold determinations for both lead compounds and chromium compounds. (Note: Only the quantity of

each parent metal released or otherwise managed as waste, not the quantity of the compound, would be reported on the appropriate sections of both Form Rs. See B.5.)

### **Section 3. Activities and Uses of the EPCRA Section 313 Chemical at the Facility**

*Add subcategories of uses.*

Indicate whether the EPCRA Section 313 chemical is manufactured (including imported), processed, or otherwise used at the facility and the general nature of such activities and uses at the facility during the calendar year (see Figure 5). For each type of activity performed by the facility for the reported chemical (i.e., manufacturing, processing, or otherwise using), specify how that chemical was used and select the corresponding checkboxes, and provide the corresponding use codes as appropriate for categories that contain specific uses (e.g., processing as a reactant provides for P-codes to describe the processing activity with more detail). You are not required to report on Form R the quantity manufactured, processed or otherwise used. Report activities that take place only at your facility, not activities that take place at other facilities involving your products. You must check all the boxes in this section that apply. Starting with RY 2017, some processing and otherwise use codes contain sub-activities and sub-uses. Select all of these codes that apply. Refer to the definitions of “manufacture,” “process,” and “otherwise use” in Section B.3.a or Part 40, Section 372.3 of the CFR for additional explanations.

#### **3.1 Manufacture the EPCRA Section 313 Chemical**

Persons who manufacture (including import) the EPCRA Section 313 chemical must enter at least one of the following use codes:

- a. **Produce** — The EPCRA Section 313 chemical is produced at the facility.
- b. **Import** — The EPCRA Section 313 chemical is imported by the facility into the Customs Territory of the United States. (See Section B.3.a of these instructions for further clarification of import.)

And check at least one of the following:

- c. **For on-site use/processing** — The EPCRA Section 313 chemical is produced or imported and then further processed or otherwise used at the same facility. If you check this block, generally you should also check at least one item in Part II, Section 3.2 or 3.3.
- d. **For sale/distribution** — The EPCRA Section 313 chemical is produced or imported specifically for sale or distribution outside the manufacturing facility.
- e. **As a byproduct** — The EPCRA Section 313 chemical is produced coincidentally during the manufacture, processing, or otherwise use of another chemical substance or mixture and, following its production, is separated from that other chemical substance or mixture. EPCRA Section 313 chemicals produced as a result of waste management are also considered byproducts.

- f. **As an impurity** — The EPCRA Section 313 chemical is produced coincidentally as a result of the manufacture, processing, or otherwise use of another chemical but is not separated and remains in the mixture or other trade name product with that other chemical.

In summary, if you are a manufacturer of the EPCRA Section 313 chemical, you must check (a) and/or (b), and at least one of (c), (d), (e), and (f) in Section 3.1.

### 3.2 Process the EPCRA Section 313 Chemical

Persons who process the EPCRA Section 313 chemical must enter at least one of the following processing use codes:

- a. **As a reactant** — A natural or synthetic EPCRA Section 313 chemical is used in chemical reactions for the manufacture of another chemical substance or of a product. If the chemical is processed as a reactant, you must indicate the applicable sub-uses:
- **P101: Feedstocks**
  - **P102: Raw materials**
  - **P103: Intermediates**
  - **P104: Initiators**
  - **P199: Other**
- b. **As a formulation component** — An EPCRA Section 313 chemical is added to a product (or product mixture) prior to further distribution of the product that acts as a performance enhancer during use of the product. If the chemical is processed as a formulation component, you must indicate the applicable sub-uses:
- **P201: Additives**
  - **P202: Dyes**
  - **P203: Reaction diluents**
  - **P204: Initiators**
  - **P205: Solvents**
  - **P206: Inhibitors**
  - **P207: Emulsifiers**
  - **P208: Surfactants**
  - **P209: Lubricants**
  - **P210: Flame retardants**
  - **P211: Rheological modifiers**
  - **P299: Other**
- c. **As an article component** — An EPCRA Section 313 chemical becomes an integral component of an article distributed for industrial, trade, or consumer use. One example is the pigment components of paint applied to a chair that is sold.
- d. **Repackaging** — This consists of processing or preparation of an EPCRA Section 313 chemical (or product mixture) for distribution in commerce in a different form, state, or quantity. This includes, but is not limited to, the transfer of material from a bulk container, such as a tank truck to smaller containers such as cans or bottles. This does not include sending toxic chemicals off-site into commerce for recycling, which is indicated using f. Recycling.

- e. **As an impurity** — The EPCRA Section 313 chemical is processed but is not separated and remains in the mixture or other trade name product with that/those other chemical(s).
- f. **Recycling** — This consists of processing or preparation of an EPCRA Section 313 chemical (or product mixture) for distribution in commerce in a different form, state, or quantity for purposes of recycling or reclamation.

In summary, if you are a processor of the EPCRA Section 313 chemical, you must check (a), (b), (c), (d), (e), or (f), and select all of the P-codes for (a) or (b) that apply.

### 3.3 Otherwise Use the EPCRA Section 313 Chemical (non-incorporative activities)

Persons who otherwise use the EPCRA Section 313 chemical must enter at least one of the following otherwise use activity codes:

- a. **As a chemical processing aid** — An EPCRA Section 313 chemical that is added to a reaction mixture to aid in the manufacture or synthesis of another chemical substance but is not intended to remain in or become part of the product or product mixture is otherwise used as chemical processing aid. If the chemical is otherwise used as a chemical processing aid, you must indicate the applicable sub-uses:
  - **Z101: Process solvents**
  - **Z102: Catalysts**
  - **Z103: Inhibitors**
  - **Z104: Initiators**
  - **Z105: Reaction terminators**
  - **Z106: Solution buffers**
  - **Z199: Other**
- b. **As a manufacturing aid** — An EPCRA Section 313 chemical that aids the manufacturing process but does not become part of the resulting product and is not added to the reaction mixture during the manufacture or synthesis of another chemical substance is otherwise used as a manufacturing aid. If the chemical is otherwise used as a manufacturing aid, you must indicate the applicable sub-uses:
  - **Z201: Process lubricants**
  - **Z202: Metalworking fluids**
  - **Z203: Coolants**
  - **Z204: Refrigerants**
  - **Z205: Hydraulic fluids**
  - **Z299: Other**
- c. **Ancillary or other use** — An EPCRA Section 313 chemical that is used at a facility for purposes other than aiding chemical processing or manufacturing as described above is otherwise used as an ancillary or other use. If the chemical is otherwise used as an ancillary or other use, you must indicate the applicable sub-uses:
  - **Z301: Cleaner**
  - **Z302: Degreaser**
  - **Z303: Lubricant**
  - **Z304: Fuel**
  - **Z305: Flame retardant**

- **Z306: Waste treatment**
- **Z307: Water treatment**
- **Z308: Construction Materials**
- **Z399: Other**

In summary, if you otherwise use the EPCRA Section 313 chemical, you must check (a), (b), and/or (c), and select all of the Z-codes for (a), (b), or (c) that apply.

## **Section 5. Quantity of the Toxic Chemical Entering Each Environmental Medium On-site (Form R)**

### **5.5 Optional Waste Rock Piles Information**

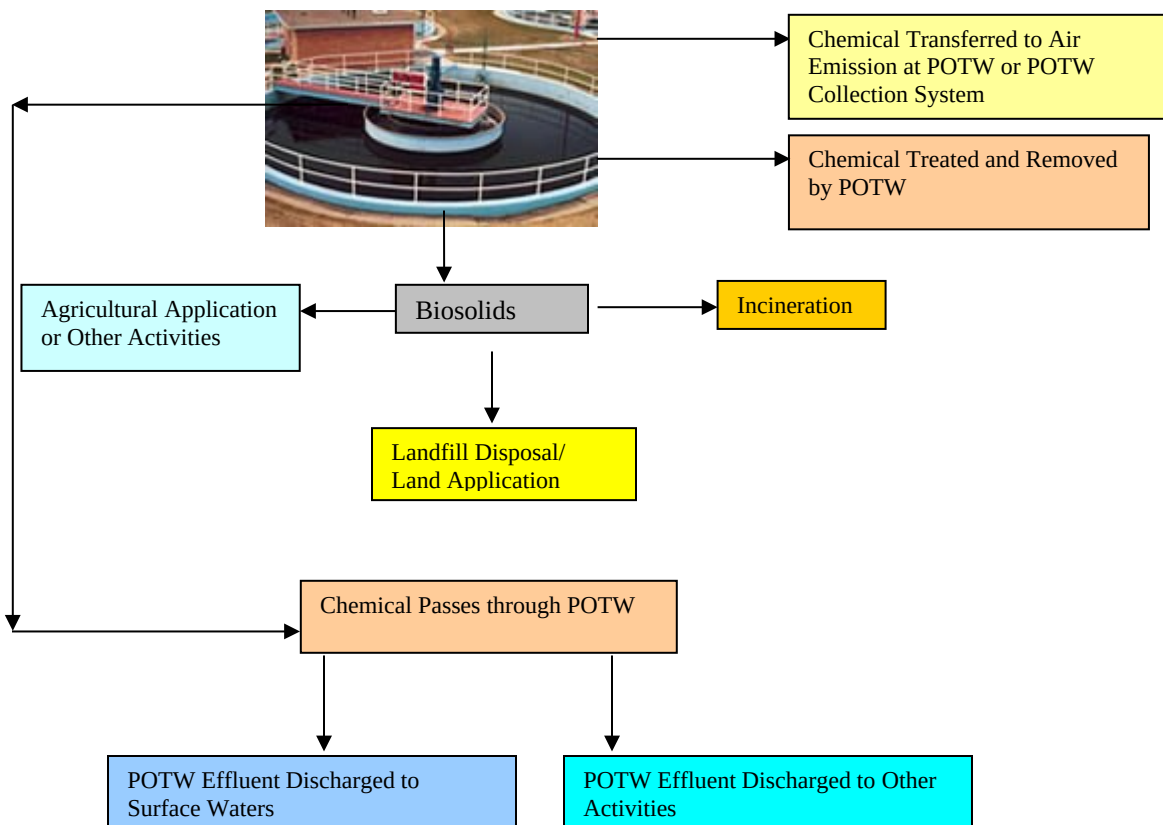
If you manage the EPCRA Section 313 chemical in waste rock that was disposed of on-site, you may elect to provide additional optional information. Waste rock refers to rock that contains insufficient metal concentration to economically process at any given time and is thus typically removed from the mine to allow access to the ore-grade rock. Waste rock does not refer to slag, tailings, or other beneficiated rock or ore. Check the optional box if you would like to indicate that your reported Section 5.5 quantities include management of the chemical in “waste rock piles.” Additionally, you may enter the quantity of the chemical reported in Section 5.5 that was managed in waste rock piles. TRI-MEweb will allow for the inclusion of optional free text that a facility may use to further characterize its on-site management of waste rock.

### **Section 6.1 Discharges to Publicly Owned Treatment Works**

*Add management codes for the transfer of waste to POTWs.*

Proposed changes to Section 6.1 align the information collected in this section with the information collected in Section 6.2. Accordingly, revised Section 6.1 instructions will resemble Section 6.2 instructions. Similar to current reporting for Section 6.2., Section 6.1 would collect specific M-codes (listed below) for quantities and the basis of estimate used to calculate the reported quantity for each type of release or other waste management information reported. Figure B-1 illustrates the range of potential waste management activities at POTWs and their ultimate dispositions.

**Figure B-1. Potential Waste Management Activities at POTWs**



Facilities should provide the ultimate disposition of toxic chemicals at POTWs. For example, if the toxic chemical is:

- in the POTWs' effluent and is discharged to surface waters / water stream - use PW-30
- discharged to other activities such as watering golf courses, agricultural land, etc. - use PW-31
- released to air - use PW-32
- in the POTWs' sludge and is disposed via landfill disposal or land application - use PW-33
- incinerated – use PW-38 (PW-34 for metals and metal compounds)
- disposed via agricultural applications or other activities - use PW-35

If facilities do not have specific information about toxic chemicals - use PW-36 and/or PW-37.

To assist facilities in reporting this information, TRI-MEweb will suggest default codes for certain chemicals based on experimental and estimated data compiled by EPA. In the future, EPA will provide additional, tailored default suggestions after reviewing reported data on the ultimate disposition of specific chemicals sent to specific POTWs M-codes:

Disposal Codes:



PW-30 – POTWs Only – Discharged to Water Stream  
PW-31 – POTWs Only – Discharged to Other Activities  
PW-32 – POTWs Only – Released to Air  
PW-33 – POTWs Only – Sludge to disposal  
PW-34 – POTWs Only – Metals and metal compounds only – Sludge to incineration  
PW-35 – POTWs Only – Sludge to agricultural applications  
PW-36 – POTWs Only – Other or Unknown Disposal

Treatment Codes:

PW-37 – POTWs Only – Other or Unknown treatment  
PW-38 – POTWs Only – Sludge to incineration

## 8.11 Optional Pollution Prevention Information

[...]

### Barriers to Implementing Pollution Prevention Activities

You may also provide details on any barriers your facility faces in implementing additional source reduction, recycling or pollution control activities. If you choose to provide this information, EPA encourages you to select one or more of the following barrier categories from the checklist provided in TRI-MEweb and describe specifically how one of these barrier categories applies to your facility:

- B1. Insufficient capital to install new source reduction equipment or implement new source reduction activities/initiatives.
- B2. Require technical information on pollution prevention techniques applicable to specific production processes.
- B3. Concern that product quality may decline as a result of source reduction.
- B4. Source reduction activities were implemented but were unsuccessful.
- B5. Specific regulatory/permit burdens
- B6. Pollution prevention previously implemented- additional reduction does not appear technically or economically feasible.
- B7. No known substitutes or alternative technologies.
- B8. Reduction does not appear to be technically feasible.
- B99. Other barriers.

## Section 9.2. Optional Pollution Prevention and Additional Information for This Toxic Chemical On Your Form A Certification Statement

*Add optional free text field for each chemical listed on Form A.*

Your facility may provide additional information pertaining to pollution prevention or other topics for each Toxic Chemical or Mixture Component included on your Form A submission. Information provided in this section may provide the Agency and/or the public with useful data that helps explain your use of Form A. For example, your facility could include information on steps it has taken to reduce its manufacture, process, or otherwise use of the chemical. Do not submit information you consider to be CBI or otherwise protected.

TRI-MEweb allows you to categorize optional information provided by checking a box next to the topic to which your information pertains:

- Changes in Production Levels
- Source Reduction Activity Reduced Activity Involving this Chemical
- One-Time or Intermittent Events Involving this Chemical
- No TRI Report Expected for this Chemical Next Year

If you do so, each topic you have selected will be included in your Section 9.2 entry, followed by the information you have provided about that topic (if any). Using these checkboxes will ensure that EPA and other TRI data users understand useful factors related to how your facility deals with any chemicals included on the Form A Certification Statement. Note that if you select the last topic listed above, it is helpful to include the reason you will not be submitting a report next year (e.g., facility closure, move, temporary shutdown, etc.).

### **Burden Notice**

The annual public burden related to the Form R, which is approved under OMB Control No. 2025-0009, is estimated to average 35.71 hours per response for a facility filing a report on one chemical. The annual public burden related to the Form A, which is also approved under OMB Control No. 2025-0009, is estimated to average 21.96 hours per response for a facility filing a report on one chemical.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed Form R or Form A to this address.