§ 372.18 Compliance and enforcement.

Violators of the requirements of this part shall be liable for a civil penalty in an amount not to exceed $25,000 each day for each violation as provided in section 325(c) of Title III.

Subpart B—Reporting Requirements

§ 372.20 Process for modifying covered chemicals and facilities.

(a) Request to add a facility to the TRI list of covered facilities.

(b) The Administrator, on his own motion or at the request of a Governor of a State (with regard to facilities located in that State) or a Tribal Chairperson or equivalent elected official (with regard to facilities located in the Indian country of that Tribe), may apply the requirements of section 313 of Title III to the owners and operators of any particular facility that manufactures, processes, or otherwise uses a toxic chemical listed under subsection (c) of section 313 of Title III if the Administrator determines that such action is warranted on the basis of toxicity of the toxic chemical, proximity to other facilities that release the toxic chemical or to population centers, the history of releases of such chemical at such facility, or such other factors as the Administrator deems appropriate.

(c) Petition to add or delete a chemical from TRI list of covered chemicals.

(d) In general. (1) Any person may petition the Administrator to add or delete a chemical to or from the list described in subsection (c) of section 313 of Title III on the basis of the criteria in subparagraph (A), (B), or (C) of subsection (d)(2) of section 313 of Title III.

(2) State and Tribal petitions. A State Governor, or a Tribal Chairperson or equivalent elected official, may petition the Administrator to add or delete a chemical to or from the list described in subsection (c) of section 313 of Title III on the basis of the criteria in subparagraph (A), (B), or (C) of subsection (d)(2) of section 313 of Title III.

(3) Petition from a State Governor, or a Tribal Chairperson or equivalent elected official, to add a chemical. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section.

(3) Petition from a State Governor, or a Tribal Chairperson or equivalent elected official, to delete a chemical. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section.

(4) Petition from a Governor, or a Tribal Chairperson or equivalent elected official, to modify the list of covered facilities. The petition shall be treated in the same manner as a petition received under paragraph (d)(1) of this section.

§ 372.22 Covered facilities for toxic chemical release reporting.

A facility that meets all of the following criteria for a calendar year is a covered facility for that calendar year and must report under § 372.30.

(a) The facility has 10 or more full-time employees.

(b) The facility is in a Standard Industrial Classification (SIC) (as in effect on January 1, 1987) major group or industry code listed in § 372.23(a), for which the corresponding North American Industry Classification System (NAICS) (as in effect on January 1, 2007, for reporting year 2008 and thereafter) subsector and industry codes are listed in § 372.23(b) and (c) by virtue of