

305 COMMUNITY, ENVIRONMENT, FAITH, INVESTOR,
LABOR, LEGAL, PUBLIC HEALTH, PUBLIC INTEREST,
RESEARCH AND SCIENTISTS ORGANIZATIONS CALL ON CONGRESS
TO RESTORE TOXIC CHEMICAL REPORTING

July 30, 2007

Dear Senator:

On behalf of the undersigned organizations, we write to urge you to support the Toxic Right-to-Know Protection Act (S. 595), which we understand will soon be considered by the Senate Environment and Public Works Committee. This legislation would reverse a recent EPA rule change to the federal Toxic Release Inventory (TRI) that restricted the public's right-to-know about harmful chemicals released from thousands of facilities in states and communities across the country.¹

The TRI program is simple in application but profound in effect. Industrial facilities that use certain toxic chemicals in amounts that exceed established reporting thresholds must file annual release reports, which are subsequently compiled and posted on EPA's website for public review. Small businesses under ten full-time employees and certain industry sectors are exempted from TRI reporting requirements.²

Although the TRI program does not mandate toxic reductions, the process of public disclosure is a powerful incentive to voluntarily decrease toxic releases. In fact, releases of TRI toxic chemicals that have been continuously reported since 1988 have decreased by 58%.³ In addition to promoting toxic reductions, the TRI is an essential tool that alerts workers, first responders, public health officials and communities to the presence of harmful chemicals.

After more than two decades of success, EPA's new rule is a serious setback for the TRI program. The rule limits available toxic release data by adding a loophole that allows facilities to withhold previously reported information from governmental and public review. A recent GAO assessment determined that these changes will have a significant impact on information available to the public, including more than 3,500 facilities across the country that would no longer need to report their toxic releases. The GAO also found that EPA violated its own rulemaking procedures and noted several problems with EPA's analysis justifying the changes.⁴

EPA's action to limit the public's right-to-know was overwhelmingly opposed by more than 120,000 citizens, 113 government agencies and officials representing 23 states, and hundreds of organizations representing labor, public health, environmental, investor and faith-based interests. The changes were also opposed by the U.S. Conference of Mayors, the Environmental Council of States and EPA's own Science Advisory Board.⁵ In May 2006, the House of Representatives voted to block EPA from finalizing the rule.⁶

¹ 71 Fed. Reg. 76,932 *et seq.* (Dec. 22, 2006)

² 42 U.S.C. § 11023(b)(1)

³ EPA, 2005 TRI Public Data Release Brochure. Retrieved May 22, 2007, from www.epa.gov/tri/tridata/tri05/brochure/brochure.htm.

⁴ EPA Actions Could Reduce the Availability of Environmental Information to the Public: Hearing before the Senate Environment and Public Works Committee, 110th Cong., 1st Sess. (Feb. 6, 2007) (testimony of John B. Stephenson).

⁵ Against the Public's Will, OMB Watch (December 2006). Retrieved May 22, 2007, from <http://www.ombwatch.org/info/TRICommentsReport.pdf>.

⁶ 109th Cong., 2nd Sess., roll call no. 165 (May 18, 2006)

The TRI is a critical public health and informational tool that provides a powerful incentive for voluntary toxic reductions, and arms the public, emergency responders and governments with the information necessary to protect communities from dangerous chemicals. **We urge you to vote in favor of S. 595 to restore public access to the toxic release information eliminated by EPA's recent rule.**

Sincerely,

Community Groups (22)

Alliance of Residents Concerning O'Hare
Calhoun County Resource Watch
Centro Latino de Educación Popular
Citizens for Clean Air & Water
Pueblo/Southern Colorado
Citizens for Safe Water Around Badger
Clean Air of Western New York
Community In-power and Development
Association Inc.
Concerned Residents of Lockwood Valley
Cross Community Coalition
Detroitters Working for Environmental Justice
Don't Waste Arizona
Galveston-Houston Association for Smog
Prevention
Global Community Monitor
Glynn Environmental Coalition
Iowa Citizen Action Network
Jones Valley Urban Farm
Kentucky Resources Council, Inc.
ManaSota-88
REACT (Rubbertown Emergency ACTion)
Sustainable South Bronx
The New Grady Coalition
Valley Watch, Inc.

Environmental Groups (126)

Action for a Clean Environment
ActionPA
Acton Citizens for Environmental Safety
Advocates for Environmental Human Rights
Airaware of Evansville, Indiana
Alabama Rivers Alliance
Alaska Community Action on Toxics
Albemarle Environmental Association
Alliance for a Clean Environment
Alliance for Sustainability
American Bottom Conservancy
Annie Appleseed Project
Arizona Toxics Information
Black Warrior Riverkeeper
Buckeye Environmental Network
Cahaba River Society
California Communities Against Toxics
Californian for Alternatives to Toxics
Central Valley Air Quality (CVAQ) Coalition
Chemical Weapons Working Group
Citizens Against Ruining the Environment-
C.A.R.E
Citizens Campaign for the Environment
Citizens' Environmental Coalition
Citizens for a Clean Environment, Inc.

Citizens for Clean Air and Water
Citizens for Environmental Justice
Citizens Opposing a Polluted Environment
(COPE)
Clean Air Council
Clean Air Watch
Clean New York
Clean Water Action
Clean Water Action Alliance of Minnesota
Clean Water for North Carolina
Climate Change is Elementary
Columbia Riverkeeper
Commonweal
Connecticut Coalition for Environmental
Justice
Crude Accountability
Downwinders at Risk
Earth Island Institute, Campaign to Safeguard
America's Waters
EARTHWORKS
Ecology Center
EnviroJustice
Environment and Human Health, Inc.
Environment California
Environment Illinois
Environmental Action Group of Western New
York
Environmental Coalition on Nuclear Power
Environmental Community Action,
Inc.(ECO-Action)
Environmental Community Organization
Environmental Defense
Environmental Integrity Project
Environmental Justice Committee
Environmental League of Massachusetts

Environmental Research Foundation
Environmental Working Group
Erie County (PA) Environmental Coalition
Families Against Cancer and Toxics
Florida Wildlife Federation
Food & Water Watch
FresCAMP (Fresno Coalition Against the
Misuse of Pesticides)
Galveston Baykeeper
GotMercury.Org
Great Lakes United
Green Environmental Coalition in Yellow
Springs Ohio
Green Purchasing Institute
Greenaction for Health and Environmental
Justice
Greenpeace Toxics Program
Gulf Restoration Network
Hoosier Environmental Council Board
Housatonic Riverkeeper
Indigenous Environmental Network
Journalism to Raise Environmental
Awareness
Just Transition Alliance
KAHEA: The Hawaiian-Environmental
Alliance
Kentucky Environmental Foundation
League of Conservation Voters
Louisiana Environmental Action Network
Lyons Incinerator Opponents Network
Maine Toxics Action Coalition
Mankato Area Environmentalists
Michigan Environmental Council
Missouri Coalition for the Environment
Montana Environmental Information Center

Mothers Against Airport Pollution
Mothers for Clean Air
MT-CHEER (Coalition for Health, Econ. & Env. Rights)
NAHMMA (North American Hazardous Materials Management Association)
National Environmental Trust
National Refinery Reform Campaign;
National Bucket Brigade Coalition
Natural Resources Defense Council
New Jersey Environmental Federation
New Jersey Work Environment Council
New York Climate Rescue
9/11 Environmental Action
North American Water Office
North Carolina Conservation Network
Northern Alaska Environmental Center
Oceana
Ohio Environmental Council
Oregon Environmental Council
Oregon Toxics Alliance
Partnership for a Sustainable Future, Inc.
Pembina Institute
Pesticide Action Network, North America
Pesticide Education Project
Planning and Conservation League
Puget Soundkeeper Alliance
RESTORE
Savannah Riverkeeper
Sierra Club
Silicon Valley Toxics Coalition
South Metro Greens
Southwest Neighbors Protecting Our Environment

Stand Up/Save Lives Campaign
STORM Coalition
Sustainable Measures
Texans for Alternatives to Pesticides
Texas Campaign for the Environment
Toxics Information Project
US Citizens Aviation Watch Association
Vanguard Environmental, Inc.
Washington Environmental Council
Western Lake Erie Association
West-Rhode Riverkeeper
Wild South

Faith Groups (18)

Catholic Health Association
Center for Earth Spirituality and Rural Ministry School Sisters of Notre Dame
Coalition for Responsible Investment Region VI
Coalition on the Environment and Jewish Life
Diocese of Trenton
Earth Ministry
Faith in Place
GreenFaith
Jewish Council for Public Affairs
Muslim American Society Freedom Foundation
National Catholic Rural Life Conference
Presbyterian Church (USA) Washington Office
Restoring Eden
Sisters of Charity of Cincinnati
The IHM Justice, Peace and Sustainability Office
Union for Reform Judaism

United Church of Christ Network for
Environmental & Economic Responsibility
Women of Reform Judaism

Investor Groups (12)

Ceres
Co-op America
Domini Social Investments
Green Century Capital Management
Harrington Investments Inc.
KLD Research & Analytics, Inc.
Lazarus Financial Planning
Pax World Management Corp.
Social Investment Forum
Trillium Asset Management Corporation
Walden Asset Management
Winslow Management Company

Labor Groups (16)

American Federation of Government
Employees (AFGE)
American Federation of Labor and Congress
of Industrial Organizations (AFL-CIO)
American Federation of State, County and
Municipal Employees (AFSCME)
Communications Workers of America
Farmworker Association of Florida
International Union, United Auto Workers
Maine Labor Group on Health
Massachusetts Coalition for Occupational
Safety and Health
National Latino Farmers & Ranchers Trade
Association
New York Committee for Occupational
Safety and Health

Philadelphia Area Project on Occupational
Safety and Health

SEIU

SEMCOSH/UAW 2200

United Food and Commercial Workers
(UFCW)

United Steelworkers (USW)

Western New York Council on Occupational
Safety and Health

Legal Groups (7)

Atlantic States Legal Foundation, Inc.
California Rural Legal Assistance Foundation
Center for Environmental Law & Policy
Center for International Environmental Law
National Lawyers' Guild
New York Environmental Law & Justice
Project
Western Environmental Law Center

Open Government Groups (13)

Americans for Democratic Action, Inc.
Californians Aware
Center for Media and Democracy
Center for Media and Democracy
Coalition of Journalists for Open Government
Georgians for Open Government
Indiana Coalition for Open Government
National Freedom of Information Coalition,
University of Missouri School of Journalism
New Jersey Foundation for Open Government
New Jersey Foundation for Open Government
OpenTheGovernment.org
Public Knowledge
Society of Professional Journalists

Public Interest Groups (26)

American Working Group for National Policy
Center for Democracy and Technology
CIBA
Common Cause
Empire State Consumer Association
Ethics in Government Group
Government Accountability Project
Gray Panthers National
International Relations Center- Americas Program
National Consumers League
Needful Provision, Inc.
New York Public Interest Research Group
Noise Pollution Clearing House
North Coast Civic Association
Ohio Citizen Action
OMB Watch
Policy Development
Public Citizen
Space Coast Progressive Alliance
Steven and Michele Kirsch Foundation
SWOP
U.S. Public Interest Research Group
Unison Institute
Uranium Impact Assessment Center
USAction/USAction Education Fund
W.E.S.T.

Public Health Groups (42)

Alliance for Healthy Homes
American Association on Intellectual and Developmental Disabilities
American Lung Association

American Nurses Association
Bon Secours Health System, Inc
Breast Cancer Action
Breast Cancer Fund
Cancer Awareness Coalition, Inc.
Center for Environmental Health
Center for Food Safety
Center for Health Environment and Justice
Children's Environmental Health Network
Doctors for Open Government
Endometriosis Association
Environmental Health Education Center of the University of Maryland School of Nursing
Environmental Health Fund
Environmental Health Project
Environmental Health Watch
Farmworker Health and Safety Institute
Health Care Without Harm
Health Integrity Project
Healthy Building Network
Healthy Child Healthy World
Healthy Kids: The Key to Basics
Healthy Schools Network, Inc.
Heart of America Northwest
Huntington Breast Cancer Action Coalition
Improving Kids' Environment
Institute for Children's Environmental Health
Learning Disabilities Association of America
MCS Beacon of Hope
National Center for Healthy Housing
New Hampshire Citizens for Health Freedom
Patient Alliance for Neuroendocrineimmune Disorders Organization for Research and Advocacy

Physicians for Social Responsibility
Prevention is the Cure, Inc.
Protect All Children's Environment
Respiratory Health Association of
Metropolitan Chicago
Science and Environmental Health Network
Simmelweis Society International
Student Health Integrity Project
Triumph Treatment Services

Research and Science Groups (23)

Alliance for Aquatic Resource Monitoring
(ALLARM) at Dickinson College
American Association of Law Libraries
American Library Association
Association of Research Libraries
Center for Corporate Policy
Center for Science in the Public Interest
Center on Race, Poverty & the Environment
DataCenter

Edmonds Institute
Environmental Research Foundation
Environmental Studies Department at
Dickinson College
Federation of American Scientists
Food First/Institute for Food and
Development Policy
Hazard Analysis Consulting
Institute for Agriculture and Trade Policy
Institute for Environmental Research and
Education
International Center for Technology
Assessment
National Center for Vermiculite and
Asbestos-Related Cancers, Wayne State
University
National Priorities Project
Political Economy Research Institute (PERI)
Sciencecorps
Southwest Research and Information Center
Union of Concerned Scientists