



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

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Office of Environmental Information (OEI) Docket
US Environmental Protection Agency
Mail Code: 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460
Attention: Docket ID No. RTI-2005-0073

January 13, 2006

Re: Comments on Toxics Release Inventory Burden Reduction Proposed Rule

The State of Oregon Department of Environmental Quality (DEQ) appreciates the opportunity to comment on the subject proposal. While we applaud the overall goal of reducing reporting burden, for both reporters and agencies, we cannot support the approach proposed. The change to biennial reporting and the increase in total annual reportable amount thresholds will result in less useful, consistent data and will hamper our efforts to assist the regulated community in reducing their use of toxics.

Enacted in 1989 and revised in 2005, Oregon's Toxics Use Reduction and Hazardous Waste Reduction Act applies to large and small quantity generators of hazardous waste and to companies required to submit uniform toxic chemical release forms. DEQ collects detailed information from generators annually and relies on the annual TRI data set to identify companies subject to the Act. A shift to biennial reporting will mean at least a year's delay in identifying new reporters and working with them to establish their toxics use reduction plans. Similarly, raising the reporting threshold will mean that a number of smaller companies who would likely benefit from reducing their use of toxics will not be identified as toxics users.

In Oregon, the TRI data is used by state agencies, environmental groups, students, and the general public and is highly valued for its completeness and timeliness. The proposed changes would dilute the value of the data, for which there is no other consistent and reliable source.

We believe that EPA has other means to reduce the burden of TRI reporting, notably through increasing the use of its TRI-ME software, and that the changes proposed represent a large step backwards for EPA, DEQ and the general public.

Sincerely,

Alan D. Kiphut
Administrator
Land Quality Division