

233 ENVIRONMENTAL, HEALTH, LABOR, PUBLIC INTEREST,
SOCIALLY RESPONSIBLE INVESTMENT AND RESEARCH
ORGANIZATIONS CALL ON CONGRESS TO
STOP EPA FROM REDUCING TOXIC CHEMICAL REPORTING

March 31, 2006

Dear Member of Congress:

On behalf of the 233 undersigned organizations, we are writing to urge Congress to stop the United States Environmental Protection Agency (EPA) from moving forward with a set of proposed changes to the Toxics Release Inventory (TRI). The changes will make it more difficult for citizens to track toxic pollution in their neighborhoods and take steps to reduce the impact on their family's health.

In 1986, Congress created TRI in response to the catastrophic release of toxic chemicals at a Union Carbide plant in Bhopal, India that killed thousands of people. For nearly 20 years, TRI has been an essential tool in alerting communities, workers, first responders, and public health officials to the presence of chemicals and has provided critical assistance in dealing with highly hazardous situations. The EPA's proposed TRI cutbacks are especially troubling in light of the essential role that TRI played in identifying toxic chemicals in the aftermath of Hurricane Katrina.

To preserve this important program, we, the undersigned, oppose the EPA's recent proposals to reduce the amount of information collected and made public under the Toxics Release Inventory. We urge Congress to call for the EPA to immediately withdraw these proposals.

Weakening the TRI program, the EPA plans to:

1. Move from annual to biennial reporting, leaving a gap every other year during which companies could pollute as much as they want without reporting.
2. Allow companies to release ten times the amount of toxics before detailed reporting is required.
3. Create a first-ever exemption on reporting the most dangerous class of chemicals—Persistent Bioaccumulative Toxins (PBTs).

The EPA claims that these changes are necessary to reduce the reporting burden on chemical companies, but the agency overstates the burden on industry and ignores the very real benefits of TRI.

In a randomized survey of 60 companies, the average time to complete a TRI form was 18 hours.¹ Many companies have stated that TRI reporting is not a burden. “We’re set up to do it annually,” says Kirk Thomson, Director of Environmental Affairs at the Boeing Company. “It’s just a good business practice to track your hazardous materials.”²

Edwin L. Mongan III, Director of Energy and Environment at DuPont, states that DuPont will probably continue to collect and release toxic information, because DuPont uses this information internally and is “committed to being transparent about its environmental performance.”³

The TRI program has undoubtedly prevented many dangerous, and even deadly, chemical exposures and accidents. Emergency responders, researchers, workers, public health officials, environmentalists, community residents, and federal and state officials routinely rely on TRI. Publication of TRI data has motivated companies to cut pollution. From 1998 to 2003, TRI documented a 2.8 billion pound reduction in the annual release and disposal of toxic chemicals.

We urge you to stop the EPA from undermining a successful and cost-effective public health and safety resource. To follow up on this letter, please contact Sean Moulton, OMB Watch, at 202-234-8494 or smoulton@ombwatch.org. We look forward to working with you to ensure that people have the information they need to protect their health, their families and their environment.

Thank you for your consideration.

Sincerely,

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¹ U.S. Environmental Protection Agency, *1996 Toxic Release Inventory: Data Quality Report*. EPA-745-R-98-016, December 1998.

² Robert McClure, “Critics Rip Plan to Relax Chemical Release Rules,” *Seattle Post-Intelligencer*. October 22, 2005.

³ Cheryl Hogue. “A Smaller Right-to-Know?” *Chemical & Policy Engineering News*. October 31, 2005.

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