

United States
Environmental Protection
Agency

EPA 745-F-95-001
March 1995

Office of Pollution Prevention and Toxics



Expanding Community Right-to-Know: Recent Changes in the Toxics Release Inventory

IMPORTANT: Type or print. Read instructions before completing form.)

Form Approved Under Number 4840-0002
Approval Expires 11-92

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EPA FORM R TOXIC CHEMICAL RELEASE INVENTORY REPORTING FORM

Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986, also known as Title III of the Superfund Amendments and Reauthorization Act

1. EPCRA Reporting Center
P.O. Box 3548
Washington, DC 20163-3548

2. APPROPRIATE STATE OFFICE
(See instructions in Appendix B)

Enter "X" here if this is a revision

19__

PART I. FACILITY IDENTIFICATION INFORMATION

SECTION 1. REPORTING YEAR	SECTION 2. TRADE SECRET INFORMATION
19__	2.1 Are you claiming the toxic chemical identified on page 3 (trade secret)? <input type="checkbox"/> Yes - Answer question 2.2. Attach substantiation forms. <input type="checkbox"/> No - Do not answer 2.2. Go to Section 3.)
	2.2 If yes in 2.1, is this copy: <input type="checkbox"/> Sanitized <input type="checkbox"/> Unsanitized

SECTION 3. CERTIFICATION (Important: Read and sign after completing all form sections.)

I hereby certify that I have reviewed the attached documents and that, to the best of my knowledge and belief, the submitted information is true and complete and that the amounts and values in this report are accurate based on reasonable estimates using data available to the preparers of this report.

Name and official title of owner/operator or senior management official _____ Date Signed _____

Signature _____


SECTION 4. FACILITY IDENTIFICATION

Facility or Establishment Name _____

City _____ State _____ ZIP _____

County _____

1995 Facility ID Number _____



This brochure explains how
EPA is expanding the

Community Right-to-Know

program through recent changes

to the Toxics Release Inventory,

including an alternate reporting

option that will reduce the

reporting burden on certain

businesses. EPA is also taking this

opportunity to alert the interested

community of possible changes in

TRI under consideration.



What is TRI?

The Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)¹ contains a number of provisions designed to aid governments and the public understand the presence of toxic chemicals and potential hazards in their communities. Section 313 of EPCRA requires certain businesses to submit reports each year on the amounts of toxic chemicals their facilities release into the environment, either routinely or as a result of accidents. Reports must be sent annually to EPA and state or tribal governments, on or before July 1, for activities that occurred during the previous calendar year. The information is compiled and made available to the public as the Toxics Release Inventory (TRI).

TRI reporting requirements cover all manufacturing facilities in the Standard Industrial Classification (SIC) codes 20 through 39 with 10

EPCRA is also known as Title III of SARA (the Superfund Amendments and Reauthorization Act of 1986). EPCRA's provisions cover emergency planning, emergency release notification, community right-to-know reporting requirements, and TRI reporting.

or more employees that manufacture, process, or use one or more of the listed chemicals above certain threshold amounts. Facilities are required to report on releases of toxic chemicals into the air, water, and land. In addition, they must report on offsite transfers (that is, transfers of wastes for treatment or disposal at a separate facility). Beginning with data submitted in 1992, TRI reports also contain detailed source reduction and recycling information as mandated by the Pollution Prevention Act.

In August 1993, the TRI reporting framework was extended by executive order to federal facilities as well as private business. Federal facilities are required to submit their first TRI reports on or before July 1, 1995, covering the 1994 calendar year. The first federal agency to institute TRI reporting—the Department of Energy—began its program of voluntary TRI reporting in 1993.

Because of its mandatory reporting requirement and the law's provision that the public has the "right to know" the information being



reported. TRI has quickly become one of the most powerful tools in this country for environmental protection. The Inventory permits the public to track chemical releases at specific facilities and on a community-wide and state-wide basis. TRI is already being used widely by industry, the states, and environmental groups as a scorecard for efforts to reduce toxic releases. Many companies have already undertaken substantial voluntary public commitments to reduce their releases of TRI chemicals.

Among such voluntary efforts is EPA's "33/50 program." In February 1991, EPA began contacting the parent companies of TRI facilities that reported using any of 17 high-priority toxic chemicals to request their participation in a voluntary program promoting reductions in direct environmental releases and offsite transfers of these chemicals. The 33/50 program derived its name from its goals—an interim 33% reduction in the release and transfer of these chemicals by 1992 and an ultimate 50% reduction by

"By working with industry and the communities who use this data, we've come up with a common sense way to make it easier for industries that release lower amounts of these chemicals to provide the information that citizens need and want to know."

*—EPA Administrator
Carol M. Browner
Nov. 28, 1994*

1995. Data from the 1992 TRI reports reveals that releases and transfers of 33/50 program chemicals have declined by 40% since 1988 (the baseline year for the program), surpassing the program's 1992 interim reduction goals by more than 100 million pounds.

Recent Changes

EPA has recently begun to substantially expand TRI coverage. In November 1994, EPA promulgated a regulation adding 286 chemicals and chemical categories to the list of toxic chemicals. At the same time, EPA made it easier for businesses to provide communities with the information they need about low volumes of chemical releases through the use of a shorter, less time-consuming reporting form. These changes are discussed in more detail below.

Expanding the List of TRI Chemicals

In 1987, 320 chemicals and chemical categories were included on the TRI list. As allowed for in the statute, the number of listed chemicals and the reporting thresholds have changed since the initial reporting year. Among the changes, 32 chemicals were added in November 1993, including those regulated under the Resource Conservation and Recovery Act (RCRA) and certain hydrochloro-fluorocarbons (HCFCs).² The most recent expansion adds 286 listings. The current total is 654 chemicals and chemical categories.

² Final rule published in the Federal Register on December 1, 1993. Effective January 1, 1994 for reports due July 1, 1995.

The initial list of chemicals covered by TRI accounted for a small percentage of the chemicals in commerce in the United States. TRI has proven so successful as a community right-to-know program that EPA felt the program should be expanded to include additional chemicals that exhibit similar toxicity characteristics as the initial list. As EPA and state agencies have integrated TRI information as a critical component of environmental regulations and inspections, they have been constrained by the limited number of chemicals covered. Expansion of the chemicals covered under TRI offers the public a more complete picture of toxic chemicals in communities. In addition, the expansion focuses industry's attention on further pollution prevention and source reduction opportunities.

The additional 286 listings include certain toxic chemicals identified in the Clean Air Act, Clean Water Act, and Safe Drinking Water Act. Approximately half the chemicals added are active ingredients in pesticides.



Reporting on the additional chemicals will be required beginning with the 1995 calendar year, with the first reports submitted to EPA and the states by July 1, 1996. EPA has developed guidance to assist the regulated community in reporting on many of these new chemicals. Copies of these guidance documents can be obtained from the EPCRA Hotline at 1-800-535-0202.

Streamlined Reporting Option: New Short Form

EPA was petitioned by the Small Business Administration and the American Feed Industry Association to reduce the burden of TRI reporting for certain types of small businesses. EPA opened the issue for public comment and debate, through publication of the petitions in the *Federal Register*, a public meeting convened by EPA in February 1994, and a proposed rule published in July 1994.

Upon review of the comments and additional analysis, EPA has decided to establish a streamlined reporting option for facilities with low annual reportable amounts of a listed toxic chemical. Facilities that have a total annual reportable amount of 500 pounds or less of a TRI chemical, and that manufacture, process or

use 1 million pounds or less of a TRI chemical no longer need to complete the current long Form R. Instead, such facilities (which otherwise meet the reporting requirements of EPCRA Section 313) can submit a shorter, annual certification statement. Such facilities must also maintain records substantiating the calculations that support the facility's eligibility for the short form.

EPA believes that this rule strikes a positive balance between maintaining the community's right-to-know about toxic chemical releases, and the economic costs (both to EPA and industry) of collecting the information. Like the most recent chemical expansion rule, this reporting modification is effective for reporting activities beginning January 1, 1995 with reports due on or before July 1, 1996. For copies of the certification statement and eligibility requirements, contact the EPCRA Hotline at 1-800-535-0202.



Looking Ahead

Industry Expansion

In April 1994, EPA indicated that it would be moving forward to expand the industries included under TRI.

The primary focus for expansion will be industry sectors that contain facilities which have significant releases of TRI chemicals and which are engaged in activities directly related to the support of manufacturing activities currently covered in TRI. These are sectors that provide the raw materials or energy necessary for manufacturing; distribute finished products as well as raw materials; or treat and dispose of the wastes generated in manufacturing.

EPA's efforts to move forward in this area have been built on public dialogue with industry. During May and June 1994, EPA convened a series of focus groups and meetings with representatives of

industry sectors as well as environmentalists. Other public meetings are planned, and information will be exchanged with industry, environmental organizations, and state and local governments.

TRI Phase III: Expanding the Types of Data Elements Collected

EPA's third phase of TRI expansion involves exploring whether there are certain pieces missing from TRI that limit the achievement of its fundamental mission. A public meeting was held in September 1994 to hear views on the subject from a wide range of stakeholders. This initial consultation suggested that data elements which should be reviewed include facility-level chemical use information and additional information on occupational demographics.



In order to review this issue, EPA wants to understand the underlying questions that stakeholders think should be answered by TRI. A good example is whether or not the existing TRI can actually serve as a national indicator for pollution prevention efforts. Some claim that the existing TRI data already allows this to be done, while others believe that facility level input/output data, also called materials accounting data, is needed to look at this question.

EPA has not yet made any decisions on whether or not to pursue additional data elements for TRI. The Agency is currently studying these issues and will examine a broad range of relevant issues such as the cost of reporting, alternative data elements that might meet the needs identified, and the proper role and authority of the federal government in collecting this type of information. EPA will employ an open and inclusive public process to shape this project. A number of meetings with stakeholders will be held to facilitate participation and input.

For More Information

For Information on How to Report:

TRI reports must be sent to EPA and to designated state agencies by July 1 each year, covering the prior year's activities. Those who fail to report as required are subject to civil penalties of up to \$25,000 a day. To obtain the proper reporting form, and for information on facilities, chemicals, and threshold quantities covered by TRI, contact the EPCRA Hotline at 1-800-535-0202 or 703-412-9877 in the Washington, DC area.

For additional copies of this brochure or a more detailed brochure on *EPCRA Section 313 Release Reporting Requirements* (EPA 700/K-94-001), call the EPCRA Hotline at 1-800-535-0202.

For the List of Chemicals Subject to TRI Reporting, Contact:

EPCRA Hotline
1-800-535-0202

For Help with Searches and Access to Data:

TRI User Support provides access and support to TRI data in various formats, including printed reports, online databases, CD-ROMs, magnetic tapes, and computer diskettes. Services include providing general TRI information, TRI publications, searches, searching assistance, National Library of Medicine TOXNET online search-training, CD-ROM training, referral to EPA regional or state TRI contacts or other TRI resource centers, and documentation support for all public access TRI products.
Contact:

TRI-User Support

Office of Pollution Prevention and
Toxics
U.S. EPA (7407)
401 M Street SW
Washington, DC 20460
Tel: 202-260-1531
Fax: 202-260-4659

For Online Access to TRI, Contact:

National Library of Medicine
Specialized Information Services
8600 Rockville Pike
Bethesda, Maryland 20894
Tel: 301-496-6531

To Access the TRI Database:

To purchase TRI on CD-ROM, microfiche diskette, magnetic tape, or in reports and directories, contact:

Government Printing Office

710 North Capitol Street NW
Washington, DC 20401

Tel: 202-783-3238

Fax: 202-512-1530

or:

NTIS

5285 Port Royal Road

Springfield, Virginia 22161

Tel: 703-487-4650 or 800-553-NTIS

For Information on the Health and Safety of TRI Chemicals:

TRI data from 1987 to 1992 available on CD-ROMs are accompanied by a separate file of information on the health, safety and ecological effects of TRI chemicals. The CD-ROM software supports search, retrieval, and display of TRI records, export of data to dBASE or

Lotus 1-2-3 format, and computing of basic statistics, plus many more features for accessing specific data. Available through GPO or NTIS (see addresses above). GPO stock number 055-000-00469-2, \$33, Tel: 202-512-1800; Fax: 202-512-2250. NTIS: order number PB94-504230, \$45, Tel: 703-487-4650, Fax: 703-321-8547.

For Exchange of Information on Right-to-Know Issues:

contact RTKNet (Right-to-Know Network), an on-line, publicly accessible network concerned with environmental issues, particularly those related to right-to-know provisions of EPCRA. Contact:

RTKNet

Unison Institute

1731 Connecticut Ave. NW
Washington, DC 20009-1146

Tel: 202-797-7200

Fax: 202-234-8584.

You can also register on-line by modem at 202-234-8570.

EPA Regional TRI Contacts

For technical assistance, pollution prevention, or regulatory information, contact your state or EPA Regional Office. Each state has an EPCRA contact, and each EPA Regional Office has a designated TRI coordinator. The EPA Regional TRI contacts are:

EPA Region 1

Dwight Peavey
Tel: 617-565-4502
Fax: 617-565-4939

Connecticut, Maine,
Massachusetts,
New Hampshire,
Rhode Island, Vermont

EPA Region 2

Nora Lopez
Tel: 908-906-6890
Fax: 908-321-6788

New Jersey,
New York,
Puerto Rico,
Virgin Islands

EPA Region 3

Mikal Shabazz
Tel: 215-597-3659
Fax: 215-597-3156

Delaware, Maryland,
Pennsylvania, Virginia,
West Virginia,
District of Columbia

EPA Region 4

Pat Steed
Tel: 404-347-1033 x36
Fax: 404-347-1681

Alabama, Florida,
Georgia, Kentucky,
Mississippi,
North Carolina,
South Carolina,
Tennessee

EPA Region 5

Thelma Codina
Tel: 312-886-6219
Fax: 312-353-4342

Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

EPA Region 6

Warren Layne
Tel: 214-665-8013
Fax: 214-665-2164

Arkansas, Louisiana,
New Mexico,
Oklahoma, Texas

EPA Region 7

Jim Hirtz
Tel: 913-551-7020
Fax: 913-551-7065

Iowa, Kansas,
Missouri, Nebraska

EPA Region 8

Kathie Atencio
Tel: 303-293-1735
Fax: 303-293-1229

Colorado, Montana,
North Dakota,
South Dakota, Utah,
Wyoming

EPA Region 9

Pam Tsai
Tel: 415-744-1116
Fax: 415-744-1073

Arizona, California,
Hawaii, Nevada,
American Samoa,
Guam,
Trust Territories

EPA Region 10

Phil Wong
Tel: 206-553-4016
Fax: 206-553-8338

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