



At a Glance

Why We Did This Review

We conducted this review to determine how the U.S. Environmental Protection Agency (EPA) uses Toxics Release Inventory (TRI) data to identify potentially noncompliant facilities in its major regulatory programs.

Businesses that manufacture, process or otherwise use large volumes of listed chemicals and meet other conditions file TRI reports with the EPA. TRI reports include the quantitative releases of chemicals to air, water and land. The TRI also reports the maximum amount of chemicals on-site at any one time during the calendar year. Analysis of TRI data can be used to identify potentially noncompliant facilities (non-filers) in other EPA regulatory programs, such as the Risk Management Program (RMP), and surface water dischargers regulated under the National Pollutant Discharge Elimination System (NPDES).

This report addresses the following:

- *Ensuring the safety of chemicals.*
- *Compliance with the law.*

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Analysis of Toxics Release Inventory Data Identifies Few Noncompliant Facilities

What We Found

While using data analytics can be resource-intensive when comparing data on facilities across different EPA programs, this approach can enhance environmental protection by identifying facilities that are potentially noncompliant with EPA reporting requirements. We reviewed data from three EPA programs and identified potentially noncompliant facilities by analyzing cross-program data, as follows:

- **RMP**—We identified potential RMP non-filers based on TRI chemical and volume data. During the course of our review, the EPA implemented its 3-year review of non-filers, which identified potential non-filers for follow-up by EPA regions. So far, EPA regions have found very few actual non-filers.
- **TRI**—We identified some potential non-filers from the chemical manufacturing industry based on RMP chemical and volume data. The EPA recently completed a review of 2011–2015 data to identify TRI non-filers from RMP data and found only 4 percent to be actual non-filers.
- **NPDES**—We obtained potential NPDES non-filers from the EPA Discharge Monitoring Report (DMR) Pollutant Loading Tool. We reviewed the largest dischargers, accounting for 99 percent of the non-filer discharges. We found NPDES permits for some but were unable to complete a review of all due to a lack of specific discharger address information.

Noncompliance among facilities that must comply with multiple environmental laws or programs can be reduced by making minimal enhancements to EPA reporting software.

Based on the OIG's work during this review, TRI program staff implemented enhancements to the TRI reporting software. This enhancement informs potential non-filers about their potential RMP requirements if they file TRI reports over the threshold of an RMP chemical. Further, TRI program staff also modified the software to notify dischargers to surface water of the need for an NPDES permit. EPA RMP program staff have committed to making similar enhancements to RMP filing software to inform RMP filers of their potential TRI reporting requirements.

Recommendations and Planned Agency Corrective Actions

We recommend that EPA (1) clarify limitations to public NPDES data in the DMR Pollutant Loading Tool, and (2) after the implementation of mandatory electronic DMRs, review the usefulness of the data in the DMR Comparison Dashboard for identifying possible unpermitted surface water dischargers using TRI data, and modify as appropriate. The recommendations are resolved with agreed-to actions pending.