

January 12, 2006

ATTN: Docket ID No. TRI-2005-0073  
Office of Environmental Information (OEI) docket  
U.S. Environmental Protection Agency  
Mail Code: 28221T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**Re: Comments on the Toxics Release Inventory Burden Reduction Proposed Rule, 70 Fed. Reg. 57,822 (October 4, 2005)—Docket Number TRI-2005-0073**

Dear Sir or Madam:

The Society of the Plastics Industry, Inc. (SPI) appreciates the opportunity to submit comments on the Environmental Protection Agency's (EPA's) proposal to reduce burdens associated with the Toxic Release Inventory (TRI) reporting requirements.<sup>1</sup> Founded in 1937, SPI is the trade association representing one of the largest manufacturing industries in the United States.<sup>2</sup>

EPA proposes to reduce the burden on facilities that report persistent bioaccumulative toxic (PBT) chemicals, such as lead, polycyclic aromatic compounds, and mercury (but not dioxins and dioxin-like compounds) under section 313 of the Emergency Planning and Community Right-to-Know Act.<sup>3</sup> The facilities would have the option of using the short, less detailed reporting Form A, provided: they have no PBT chemical releases to the environment in a reporting year; do not manufacture, process or otherwise use more than one million pounds of the PBT chemical in a calendar year; and otherwise manage (recycle, treat or burn for energy recovery) no more than 500 pounds of the PBT chemical. EPA also proposes easing non-PBT

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<sup>1</sup> *Toxics Release Inventory Burden Reduction Proposed Rule*, 70 Fed. Reg. 57,822 (October 4, 2005).

<sup>2</sup> SPI members represent the entire plastics industry supply chain, including processors, machinery and equipment manufacturers and raw materials suppliers. The U.S. plastics industry employs 1.3 million workers and provides more than \$345 billion in annual shipments. For more information, visit SPI on the Web at [www.plasticsindustry.org](http://www.plasticsindustry.org).

<sup>3</sup> 42 U.S.C. §§ 11001 to 11050.

chemical reporting by raising the maximum amount of non-PBT chemicals released to the environment or otherwise managed (referred to in the proposed rule as the annual reporting amount (ARA)) that facilities can report using Form A from 500 to 5,000 pounds. EPA requests comments on the proposed TRI reporting burden reductions and on the reasonableness and accuracy of its burden estimates.

SPI's members include operators of facilities that are regulated under section 313 of EPCRA and therefore required to submit annual TRI data. SPI member companies support the concept of public right-to-know programs such as TRI; the public availability of accurate and meaningful information about releases of hazardous substances to the environment has played an important role in the significant decrease of such releases since the TRI Program's inception. At the same time, SPI members are affected by numerous environmental regulations and their reporting requirements on the Federal and State levels.

Generally, SPI supports EPA's proposal to reduce reporting burdens, such as those for TRI, which would have minimal effect on the availability of public information. With the current reporting requirements for TRI, EPA has cast its net too widely to include facilities with little to no toxic substance releases to the environment.

EPA is not proposing complete exclusions from TRI reporting, but rather increased use of Form A. In the case of PBT chemicals under this proposal, only those facilities with no releases to the environment would have an opportunity to use the easier form.<sup>4</sup> With regard to non-PBT chemicals, SPI agrees with EPA's conclusion that little information would be affected, and moreover, that information from Form A can be supplemented with information from other regulatory programs. Indeed, as the table below reproduced from EPA's Website indicates, much more current information on individual facilities is available to the public through other regulatory databases disseminated through EPA's "Envirofacts" data query system:<sup>5</sup>

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<sup>4</sup> Moreover, the Agency would exclude facilities that manufacture, process or use a million pounds or more of PBT chemicals in a calendar year, or those that otherwise manage 500 pounds or more of such substances.

<sup>5</sup> See [http://oaspub.epa.gov/enviro/data\\_update](http://oaspub.epa.gov/enviro/data_update)

<b>System</b>	<b>Retrieved</b>	<b>Posted</b>	<b>Update Frequency</b>
Envirofacts AIRS Facility Subsystem (EF AIRS/AFS)	12/08/2005	12/23/2005	Updated Monthly.
Brownfields Management System (BMS)	12/08/2005	12/14/2005	Updated Monthly.
Biennial Reporting (BR)	11/18/2003	06/30/2004	Updated Every Two Years.
Comprehensive Environmental Response, Compensation & Liability Information System (CERCLIS)	12/08/2005	12/21/2005	Updated Monthly.
Facility Registry System (FRS)	Nightly	Nightly	Updated Nightly.
RadNet, formerly Environmental Radiation Ambient Monitoring System	12/21/2005	12/29/2005	
Grants Information & Control System (GICS)	01/09/2006	01/11/2006	Updated Bi-Weekly.
Information Collection Rule (ICR)		05/17/2000	Final Data Update Complete.
Locational Reference Tables (LRT)	12/02/2005	12/09/2005	Updated Monthly
Permit Compliance System (PCS)	12/16/2005	12/22/2005	Updated Monthly.
Resource Conservation and Recovery Act Information (RCRAInfo)	12/10/2005	12/14/2005	Updated Monthly
Safe Drinking Water Information System (SDWIS)	10/14/2005	10/26/2005	Updated Quarterly.
<b>Toxics Release Inventory (TRI)</b>	<b>12/01/2005</b>	<b>12/02/2005</b>	<b>TRI 2003 data is now available</b>

In closing, SPI reiterates its support for EPA's proposal to reduce reporting burdens under the TRI program as proposed. We also encourage EPA to seek further burden reductions under the TRI and other regulatory programs.

Respectfully submitted,

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Vice President, Science and Technology

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