

February 4, 2004

The Honorable Kimberly T. Nelson
Assistant Administrator for Environmental Information
U.S. Environmental Protection Agency
Ariel Rios Building, 2810A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Toxic Chemical Release Reporting; Online Dialogue Phase II; OEI Docket TRI-2003-0001; 68 Fed. Reg. 62759 (November 5, 2003).

Dear Assistant Administrator Nelson:

The Office of Advocacy of the U.S. Small Business Administration (Advocacy) welcomes the opportunity to provide comments to Phase II of the Environmental Protection Agency's (EPA) Online Dialogue on the Toxics Release Inventory (TRI). We applaud EPA's efforts and hope that this important initiative will lead to paperwork burden relief for TRI reporters by July 2005 (for the 2004 Reporting Year).

As you know, the Office of Advocacy submitted comments on TRI paperwork burden reduction to EPA on September 2, 2003, in response to the request for comments on the Information Collection Request (ICR) for the TRI Form A, which is the alternate threshold form used by many small businesses as a substitute for the longer Form R. In that letter, Advocacy recommended specific changes to enhance the Form A and proposed a new "Form NS" to provide a certification of "no substantial change" from a baseline year in which a Form R would have been filed. A copy of Advocacy's September 2, 2003, letter is enclosed for EPA's consideration as part of the Online Dialogue Phase II. Our goal is to improve the TRI program by supplementing the Form A with additional data, providing substantial burden reductions to thousands of TRI reporters, while still preserving TRI data quality.

To enhance EPA's consideration of the regulatory options to achieve TRI paperwork burden reduction, we have engaged Jack Faucett Associates to perform an in-depth analysis of the Enhanced Form A and Form NS. The contractor's report will also touch on additional options, such as expanding the use of reporting in ranges to all sections of the Form R and a new reporting threshold for two small business industries with very small releases (chemical and petroleum wholesale facilities). Advocacy expects to provide the report to EPA for its consideration within the next few weeks, and we will work with EPA to advance this important initiative to provide paperwork burden reduction in time for the 2004 TRI reporting year.

The Office of Advocacy appreciates the opportunity to participate in Phase II of the Online Dialogue. If you have any further questions, please do not hesitate to contact me or Kevin Bromberg (kevin.bromberg@sba.gov or 202-205-6964) of my staff.

Sincerely,

Thomas M. Sullivan
Chief Counsel for Advocacy

Kevin Bromberg
Assistant Chief Counsel for Advocacy

[Enclosure](#)

Cc: EPA Docket Center, EPA West, Room B102, Environmental Protection Agency, 1301 Constitution Avenue, N.W., Washington, DC 20460

Dr. John D. Graham, Administrator, Office of Information and Regulatory Affairs