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Advocacy Urges Congress Not to Block EPA Efforts to Ease Toxic Release Inventory Reporting Burdens for Small Businesses

On May 17, 2006, the Office of Advocacy (Advocacy) submitted a letter to the House Appropriations Committee, Subcommittee on Interior, Environment and Related Agencies concerning a potential revision to a FY 2007 Appropriations Bill. Advocacy urged the Subcommittee not to prevent the U.S. Environmental Protection Agency (EPA) from implementing a proposal to reduce annual reporting burdens for eligible small businesses under the Toxic Release Inventory (TRI) program.

- Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) requires facilities that use, emit or discharge listed chemicals to file an annual report, called a Form R, describing the volume of chemicals processed or used. Small businesses have long been concerned that the annual reporting requirement imposes a large paperwork burden with little environmental benefit, particularly for thousands of filers with zero discharges or emissions. These small firms must devote scarce time and resources to completing the lengthy, detailed Form R report, even when they have no discharges or emissions to the environment.
- Based on the concerns of small business, the Office of Advocacy began working with EPA in 1988 to reduce the paperwork burden on small firms that handle small amounts of listed chemicals. In 1991, Advocacy was able to persuade EPA to develop the Form A, a shorter alternative to the Form R. EPA estimated at the time that the Form A would result in several hundred thousand hours of annual paperwork savings. Unfortunately, the majority of the small business filers that Form A was designed to benefit never could use it. This was because EPA subsequently restricted the Form A to firms that used less than 500 pounds of a listed chemical per year, or that used any amount of any chemical deemed to be “persistent, bioaccumulative, or toxic.”
- EPA proposed revisions to the Form A in late 2005, so that it could be used by more small business filers. EPA’s proposal would alleviate paperwork burdens for small businesses while continuing to require detailed annual reporting of chemical use for most filers. An estimated 99% of current chemical information would continue to be reported to EPA on Form R, while saving at least \$800 – \$1000 per reporting form.
- Advocacy’s letter urged the Subcommittee to reject any Amendment that would prevent EPA from acting to reduce TRI paperwork burdens on eligible businesses.

For information regarding this TRI burden reduction issue, visit Advocacy’s web site at: www.sba.gov/advo or contact Kevin Bromberg at kevin.bromberg@sba.gov or (202) 205-6533.