



"Serving Western Legislatures"

PROPOSED RESOLUTION 99-1

Community Right-To-Know Act and Toxics Release Inventory

Introduced by the Energy & Minerals Committee

WHEREAS, the Emergency Planning and Community Right-To-Know Act of 1986 is intended to inform communities and residents of potential chemical hazards in their area by requiring certain businesses to report the locations and quantities of designated chemicals stored on-site to federal, state and local governments; and

WHEREAS, Section 313 of the Emergency Planning and Community Right-To-Know Act specifically requires certain manufacturers to annually report releases into the environment of more than 600 designated chemicals as part of the Toxics Release Inventory which is made available on the Internet to the public by the United States Environmental Protection Agency (EPA); and

WHEREAS, the EPA has expanded the Toxics Release Inventory to include the mining industry and other nonmanufacturing industrial sectors; and

WHEREAS, many of the chemicals that must be reported in the Toxics Release Inventory are naturally occurring elements in the earth's crust and may be reportable by the mining industry by mere virtue of handling and moving these elements in standard mining and ore processing activities; and

WHEREAS, the current reporting requirements of the Toxics Release Inventory were developed for application to the manufacturing industry, which brings these chemicals to the manufacturing site and releases them into the environment, and are not appropriate to apply to the mining industry where the risk to public safety is very low; and

WHEREAS, the members of *CSG-WEST* acknowledge the value of the Emergency Planning and Community Right-To-Know Act and its success in encouraging large manufacturers to implement cleaner processing programs with fewer toxic chemicals;

NOW, THEREFORE, BE IT RESOLVED that *CSG-WEST* urges the United States Environmental Protection Agency to remove the mining industry from the reporting requirements of the Toxics Release Inventory that were originally intended for use by large manufacturers; and

BE IT FURTHER RESOLVED if the United States Environmental Protection Agency does not remove the mining industry from the reporting requirements of the Toxics Release Inventory, CSG-WEST strongly urges the Agency to develop separate reporting requirements that have a direct application to the processing of minerals and that exclude naturally occurring elements from the reporting requirements of the mining industry; and

BE IT FURTHER RESOLVED that CSG-WEST urges the United States Environmental Protection Agency to acknowledge in accurate perspective the fact that while mining activities do involve the handling of a large volume of material, a portion of which does contain reportable chemicals, the actual risk of public exposure is low;

BE IT FURTHER RESOLVED that CSG-WEST staff shall transmit a copy of this resolution to the Vice President of the United States, the Secretary of the Interior, the Administrator of the United States Environmental Protection Agency, and relevant congressional committee chairpersons.

*Adopted By The CSG-WEST Executive Committee on July 19, 1999
Assembled In Annual Meeting In Sun Valley, Idaho*