

110TH CONGRESS
1ST SESSION

H. R. 1055

To amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2007

Mr. PALLONE (for himself, Ms. SOLIS, Mr. DEFazio, Mr. BRADY of Pennsylvania, Mr. KUCINICH, Mr. LANTOS, Mr. MORAN of Virginia, Mr. FRANK of Massachusetts, Ms. SCHWARTZ, Mr. ROTHMAN, Mr. INSLEE, Ms. MATSUI, Mr. MCGOVERN, Ms. WOOLSEY, Ms. BERKLEY, Mr. GEORGE MILLER of California, Mr. WEXLER, Mr. MARKEY, Mr. ALLEN, Mr. WEINER, Mr. CONYERS, Mr. WAXMAN, Ms. LINDA T. SÁNCHEZ of California, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mrs. CAPPS, Mr. PAYNE, Mr. BLUMENAUER, Mr. SERRANO, Mr. GUTIERREZ, Ms. CASTOR, Mr. ACKERMAN, Mr. HOLT, Ms. HIRONO, Mr. SIRES, Mr. PASCRELL, Mrs. TAUSCHER, Mr. HONDA, Ms. BORDALLO, Mr. CLAY, Mr. ELLISON, Ms. MCCOLLUM of Minnesota, Mr. OLVER, Ms. KILPATRICK, Mr. NADLER, Mr. WYNN, Mr. LEVIN, Mr. DOYLE, Ms. BALDWIN, and Mr. FARR) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Toxic Right-to-Know
3 Protection Act”.

4 **SEC. 2. MODIFICATIONS IN REPORTING FREQUENCY.**

5 Section 313 of the Emergency Planning and Commu-
6 nity Right-to-Know Act of 1986 (42 U.S.C. 11023) is
7 amended—

8 (1) by striking subsection (i); and

9 (2) by redesignating subsections (j) through (l)
10 as subsections (i) through (k), respectively.

11 **SEC. 3. REQUIREMENTS RELATING TO TOXIC RELEASE IN-**
12 **VENTORY.**

13 Notwithstanding any other provision of law—

14 (1) the Administrator of the Environmental
15 Protection Agency (referred to in this section as the
16 “Administrator”) shall establish the eligibility
17 threshold regarding the use of a form A certification
18 statement under the toxic release inventory program
19 established under the Emergency Planning and
20 Community Right-to-Know Act of 1986 (42 U.S.C.
21 11001 et seq.) at not greater than 500 pounds for
22 nonpersistent bioaccumulative and toxic chemicals;
23 and

24 (2) the use of a form A certification statement
25 described in paragraph (1), or any equivalent suc-
26 cessor thereto, shall be prohibited with respect to

1 any chemical identified by the Administrator as a
2 chemical of special concern under section 372.28 of
3 title 40, Code of Federal Regulations (or a successor
4 regulation).

○