H. R. 776

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

JANUARY 28, 2009

Mr. Pallone (for himself, Mrs. Capps, Mr. Payne, Ms. Schwartz, Mr. Levin, Mr. Blumenauer, Ms. Bordallo, Mr. Sires, Mr. Grijalva, Mr. Ackerman, Mr. Weiner, Mr. Moran of Virginia, Mr. Filner, Ms. McCollum, Mr. Doyle, Ms. Harman, Ms. Schakowsky, and Mr. Gene Green of Texas) 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,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Toxic Right-to-Know
5 Protection Act”.

SEC. 2. MODIFICATIONS IN REPORTING FREQUENCY.

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

(1) by striking subsection (i); and

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

SEC. 3. REQUIREMENTS RELATING TO TOXIC RELEASE INVENTORY.

Notwithstanding any other provision of law—

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

and

(2) the use of a form A certification statement described in paragraph (1), or any equivalent successor thereto, shall be prohibited with respect to any chemical identified by the Administrator as a chemical of special concern under section 372.28 of
3

1 title 40, Code of Federal Regulations (or a successor
2 regulation).