
TOXICS RELEASE INVENTORY
TRI FORM R AND FORM A
TOXIC CHEMICAL RELEASE REPORTING
INFORMATION COLLECTION REQUEST
SUPPORTING STATEMENT

OMB CONTROL NO. 2025-0009
EPA ICR #1363.21

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1 IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) Title of the Information Collection

TITLE: **Toxics Release Inventory (TRI) Form R and Form A Toxic Chemical Release Reporting, Recordkeeping, Supplier Notification and Petitions under Section 313 of the Emergency Planning and Community Right-to-Know Act**

EPA ICR No.: **1363.21**

OMB Control No.: **2025-0009**

1(b) Short Characterization/Abstract

This Information Collection Request (ICR) is for the information collection requirements associated with EPA's Toxics Release Inventory (TRI) Program. Pursuant to section 313 of EPCRA, certain facilities that manufacture, process, or otherwise use specified toxic chemicals in amounts above reporting threshold levels must submit annually to EPA and to designated State officials toxic chemical release forms containing information specified by EPA. 42 U.S.C. 11023. In addition, pursuant to section 6607 of the Pollution Prevention Act (PPA), facilities reporting under section 313 of EPCRA must also report pollution prevention and waste management data, including recycling information, for such chemicals. 42 U.S.C. 13106. These reports are compiled and stored in EPA's database known as the Toxics Release Inventory (TRI), and the TRI data are made readily available to the public.¹

Currently, facilities subject to the TRI reporting requirements may use either the EPA Toxics Release Inventory Form R (EPA Form #9350-1), or, if they meet alternate threshold requirements, the EPA Toxics Release Inventory Form A Certification Statement² (or simply referred to as "Form A" - EPA Form #9350-2). With Form R, one chemical is reported per form; with Form A, multiple chemicals may be reported per form.³

In the past, EPA has issued separate ICRs: 1) EPA ICR No. 1363.20, OMB Control No. 2025-0009 (TRI Form R) and 2) EPA ICR No. 1704.12, OMB Control No. 2025-0010 for Form A. In this ICR Renewal, EPA is transitioning from issuing two separate ICRs to issuing a single ICR—EPA ICR No. 1363.21, OMB Control No. 2025-0009 that encompasses both Form R and Form A. Additionally, in this Renewal, EPA is proposing revisions to the Form R and Form A to

¹ Certain sectors are subject to TRI reporting. For a complete listing of the North American Industry Classification System (NAICS) codes subject to TRI reporting see Appendix E of this ICR Supporting Statement.

² The Form A submission requires a Certification Statement confirming that the sum of amounts of the chemical in releases and waste does not exceed the appropriate Non-PBT release and waste annual reportable amounts for that reporting year (see Form A in Appendix A for Statement details).

³ Refer to Appendix A of this Supporting Statement for a blank Form R and Form A. For the full set of instructions and Forms, refer to <http://www.epa.gov/tri/report/#forms>.

standardize responses and enhance data utility. More specifically, the proposed changes to the forms and TRI Reporting Forms and Instructions (RFI) are:⁴

- Replace the NA box in the Parent Company field with “No U.S. Parent Company (for TRI Reporting purposes)” check box (Form R/A- Part I: Sec. 5, 5.1)
- Disaggregate the “Total Transfers” field and add fields to identify the chemical discharge quantities to specific publicly owned treatment works (POTWs) (Form R- Part II: Sec. 6.1)
- Section 8 Enhancements:
 - Change instructional statement on form to specify only “newly implemented” source reduction activities (Form R- Part II: Sec. 8.10)
 - Add an “NA” box to match associated text revisions (Form R- Part II: Sec. 8.10)
 - Remove Yes box and enlarge the text section for the question on optional pollution prevention information (Form R- Part II: Sec. 8.11)
- Add a new question to capture miscellaneous and optional information regarding the submission (Form R- Part II: Sec.9, 9.1)
- Add NA boxes to improve consistency in the form (Form R/Form R Schedule 1- Sec. 5.3, 6.1, 6.2)

Pursuant to EPCRA §313 (and PPA §6607 because of its linkage to EPCRA), EPA's Office of Environmental Information (OEI) collects, processes, and makes available to the public all of the information collected. The information gathered under these authorities is stored in a database maintained at EPA and is available through the Internet. EPA; other federal, state, and local government agencies; industry; and the public use TRI extensively. Program offices within EPA and other government agencies have used TRI, along with other sources of data, to establish priorities, evaluate potential exposure scenarios, and conduct enforcement activities. Industries use TRI data to identify pollution prevention opportunities and set goals for emissions reductions. Environmental and public interest groups use TRI data to make the public more aware of releases of chemicals in their communities, as well as to initiate direct negotiation and risk reduction with facilities.

EPA has developed EPA Information Quality Guidelines to ensure the utility, objectivity, and integrity of information that is disseminated by the Agency. The information supporting this ICR is consistent with all appropriate EPA policies, including EPA's Information Quality Guidelines. In particular, the EPA Agency-wide quality system helps ensure that EPA organizations maximize the quality of information disseminated by the Agency. The quality system is documented in EPA Order 5360.1 A2, *Policy and Program Requirements for the Mandatory Agency-wide Quality System* and the EPA CIO Policy 2106.0 *US Environmental Policy: Quality Policy* Oct 2008. An updated Procedure for Quality Policy was published in October 2008.⁵ The information supporting this action is also consistent with *EPA's Guide to Writing Information Collection Requests Under the Paperwork Reduction Act of 1995*, revised November 2005. It is EPA's intention that collection of information under this ICR will result in information that will be

⁴ For additional details, refer to Appendix A: Blank Form R, Form R Schedule 1, and Form A, and Appendix B: Reporting Form Instructions Associated with Form Changes.

⁵ US Environmental Protection Agency. *Procedure for Quality Policy*. CIO 2106-P-0.10. October 20, 2008.

collected, maintained, and used in ways consistent with both EPA's Information Quality Guidelines and the OMB Information Quality Guidelines.⁶

The TRI data are unique in providing a multi-media (air, water, and land) picture of toxic chemical releases, transfers, and other waste management activities by covered facilities on a yearly basis. With a centralized database and electronic data access tools, TRI provides a wide range of capabilities for a variety of users. Communities and governments can access the identities and quantities of listed toxic chemicals that many industrial facilities in their area release, transfer, or otherwise manage as waste. In addition, industries can use TRI as a tool for evaluating efficiency and progress on their pollution prevention goals.

OMB last approved ICRs for Form R and Form A separately on March 2, 2008, with an expiration date of July 31, 2011. The ICRs approved at that time reflected a total program reporting burden projection of 76,986 responses, 3.72 million hours and \$186 million for Form R and Form A respondents. In this ICR Renewal, the effect of the interim changes via rulemakings (see Figure 2 on p. 43 for TRI Rulemaking and ICR Chronology), as well as other changes in conditions that have gradually shifted the number of Form R and/or Form A chemical reports downward are incorporated. EPA projects total responses, burden, and cost of Form R and Form A reporting at 73,727 responses, 3.52 million hours and \$174.5 million. Further, the TRI program is proposing to revise data elements and instructions for the reporting forms. The revised data elements and instructions are estimated to have a negligible impact on form burden.

The time required to complete all activities associated with Form R completion (rule familiarization, reporter compliance determination, calculations, form completion, and recordkeeping) is estimated to average 35.70516 hours per Form R (including all proposed form changes). By comparison, this same burden is estimated to average 21.95867 hours for facilities submitting a Form A for a single listed chemical (all estimates incorporate proposed changes). Thus, for a facility filing a Form A instead of Form R for a single listed chemical, according to EPA's TRI burden methodology, the alternate threshold yields an average savings of 13.7 hours per chemical.

2 NEED FOR AND USE OF THE COLLECTION

2(a) Need/Authority for the Collection

This information collection activity is a statutory requirement pursuant to EPCRA §313 (42 U.S.C. 11001 et seq.) and PPA §6607 (42 U.S.C. 11071 to 11079). According to EPCRA §313(h), the data submitted in the forms are intended to "inform persons about releases of toxic chemicals to the environment; to assist governmental agencies, researchers, and other persons in

⁶ The Office of Management and Budget publishes these guidelines in accordance with the Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies (Government-wide Guidelines) published in interim final form by OMB in the *Federal Register* in Volume 66, No. 189 at 49718 on September 28, 2001, and updated in final form in Volume 2, No. 67 at 8452 on February 22, 2002.

the conduct of research and data gathering; to aid in the development of appropriate regulations, guidelines, and standards; and for other similar purposes."

Section 6602 of the PPA establishes a national policy that pollution should be prevented or reduced at the source whenever feasible. To further this goal, EPA is to establish a source reduction program that collects and disseminates information, among other responsibilities. The information collected under §6607 is intended to fulfill that responsibility in part and to provide a basis for measuring progress in pollution prevention in certain industrial groups.

EPA's regulations implementing TRI reporting are codified at 40 CFR part 372. Each covered facility must report on each listed chemical manufactured, processed or otherwise used in excess of the reporting thresholds established in EPCRA §313(f)(1). EPA established an alternate threshold⁷ under EPCRA §313(f)(2) for a category of facilities with low amounts of a listed toxic chemical in wastes.

A facility that chooses to apply the alternate threshold submits an EPA Toxics Release Inventory Form A instead of a Form R. Note that a Form A may contain multiple chemicals. The information collected on the Form R, or alternatively on the shorter Form A, fulfills EPA's responsibilities under EPCRA §313(f)(2). Regarding Form A, although both forms address the statutory mandates and the public's right-to-know, Form A allows regulatory relief for facilities with lower amounts of listed toxic chemicals in wastes. Table 1 summarizes the information collected by form.

Table 1
Form R and Form A Information Collection

Information Collected	Form R	Form A
Location of facilities manufacturing, processing or otherwise using these chemicals	√	√
Demonstrations that the chemicals are being manufactured, processed or otherwise used at current reporting thresholds	√	√
Certification that the sum of amounts of the chemical in releases and waste did not exceed the appropriate Non-PBT or PBT (lead in stainless steel, brass, or bronze alloy) release and waste annual reportable amounts for that reporting year		√
Accounting of quantities of chemicals entering environmental mediums on site	√	
Disclosure of chemical transfers to offsite locations	√	
Description of onsite waste treatment, energy recovery, and recycling processes	√	
Accounting of other disposal, source reduction and recycling activities	√	
Additional optional information on source reduction, recycling and pollution control activities	√	

The requirement for Form A submission fosters continued attention to chemical management practices and provides important facility identification information. With a Form A, EPA and the

⁷ EPA has authority to revise the threshold amounts pursuant to EPCRA §313(f)(2) provided that revised threshold amounts still result in reporting on a substantial majority of total releases of the chemical at all facilities subject to EPCRA §313. A revised threshold may be based on classes of chemicals or categories of facilities.

general public receive a specific indication annually that a facility has a certain chemical; however, with the facility able to use the alternate threshold, reporting is less extensive.

2(b) Practical Utility/Users of the Data

The overall goal of the Toxics Release Inventory Program is to provide communities with information about toxic chemical releases and other waste management activities and to support informed decision making at all levels by industry, government, non-governmental organizations, and the public.⁸ The Program's success is due, in large part, to the right-to-know provisions contained in the legislation. By requiring that the resulting data be made publicly available "by electronic and other means," Congress ensured that the general public, the media, environmental advocates, researchers, the business community, and others could evaluate and influence industry's efforts to manage toxic emissions. Consequently, data collected under EPCRA §313 and PPA §6607 are made available through access tools such as EPA's Envirofacts, TRI Explorer, TRI.NET, and the web-enabled mobile myRTK. TRI now provides the TRI Preliminary Dataset within weeks after the annual July 1st TRI reporting deadline. The release consists of downloadable files on the TRI Web site (with links from Data.gov), as well as updated online data access tools (Envirofacts and TRI Explorer). The annual TRI National Analysis and the final dataset used for that analysis are generally made available within six months after the reporting deadline.

In addition to providing information to the public via electronic means, EPA also conducts outreach activities to make key groups and the public aware of TRI. Libraries in communities all across the United States (in particular, members of the Federal Depository Library Program) are committed to providing public access to TRI data. TRI data are used by environmental agencies, industry, and the public. EPA program offices use TRI data, along with other data, to help establish programmatic priorities, evaluate potential hazards to human health and the natural environment, and undertake appropriate regulatory and/or enforcement activities. Environmental and public interest groups use the data to better understand toxic chemical releases at the community level and to work with industry, government agencies, and others to promote reductions in toxic chemical releases. Industrial facilities use the TRI data to evaluate the efficiency of their production processes and to help track and communicate their progress in achieving pollution prevention goals. States use the TRI data to compare toxic chemical releases and other waste management approaches within specific industries and to set environmental priorities at the state level. EPA encourages TRI data users to provide feedback on ways to improve TRI products and services.

⁸ U.S. EPA Toxics Release Inventory Program. <http://www.epa.gov/tri/>

3 NONDUPLICATION, CONSULTATIONS, OTHER COLLECTION CRITERIA

3(a) Nonduplication

The basic information requested on Form R/Form A is required to be reported by law. Other statutes, however, also necessitate the reporting of information about releases of chemicals to the environment, as well as transfers, treatment, and source reduction and recycling activities, creating the possibility of overlap or duplication of reporting requirements. EPA anticipates some overlap and acknowledges that respondents may use readily available data collected pursuant to other provisions of law to complete the EPCRA §313 reports. However, information required by these other statutes may not provide readily accessible multi-media release and transfer, inventory, or pollution prevention data with the same scope, level of detail, chemical coverage, and frequency of collection as data currently included in TRI.

TRI contains information on releases, transfers, inventories, and pollution prevention activities for 593 individually listed chemicals and 30 chemical categories—with total number of chemicals and chemical categories at 682. The recent rule adding 16 National Toxicology Program (NTP) chemicals (effective RY 2011)⁹ increases the number of individually listed chemicals by 12 (from 581) and adds 4 chemicals to the Polycyclic Aromatic Compounds (PAC) category. EPA is not aware of national databases that are comparable to the whole of TRI; however, several existing data sources contain media-specific data on releases and transfers. In theory, information from these databases could be combined to form an analog of release and transfer data contained in TRI. However, in practice, given the currently available data sources (see Table 2 in next section and Appendix C), this substitution is extremely unlikely. For example, there are differences in chemical coverage and facility coverage, as well as differences in the level of public access, reporting frequencies, and the integration of data from various sources at the facility level. The following sections describe other sources of chemical releases and transfers, chemical inventory, and pollution prevention data.

Chemical Release and Transfer Data

Table 2 presents a summary of major databases containing release and transfer data that are discussed in this section. Appendix C provides a comprehensive list of relevant data sources.

⁹Addition of National Toxicology Program Carcinogens; Community Right-to-Know Toxic Chemical Release Reporting Final Rule. 40 CFR Part 372. EPA Docket ID Number EPA-HQ-TRI-2010-0006. Federal Register Vol. 75 No. 227. November 26, 2010.

**Table 2
Major Release and Transfer Databases**

Data Source	Media and Chemical Coverage	Relevant Release Statistics Available	Ease of Database Substitution for TRI Data^a
National Emissions Inventory (NEI)	Contains annual emissions of 6 criteria air pollutants (CAPs) and 189 hazardous air pollutants (HAPs) for facilities above reporting thresholds.	Total annual releases.	Includes air releases only. Data are updated only every 3 years. Coverage of TRI chemicals is limited.
Permit Compliance System (PCS)	Contains monthly discharge monitoring data for selected water pollutants and flow rates for major sources.	Concentration data; total annual releases (can be calculated); average daily releases, maximum “moment” if continuous monitoring.	Includes only chemicals for which a discharge limit has been set. Difficult to link between PCS parameters and a Chemical Abstract Service (CAS) number. Very limited monitoring data for minor dischargers.
Biennial Reporting System (BRS)	Contains waste volumes by Resource Conservation and Recovery Act (RCRA) waste code reported biennially.	Total annual off-site transfers of hazardous waste for land disposal; total annual releases to publicly owned treatment works (POTWs).	Many RCRA waste codes are not specific to an individual CAS number. Quantities of chemicals in waste cannot be determined. Portion of waste stream matching each waste code cannot be determined.
^a “Ease of substitution” refers only to the potential of the information in the database to substitute for TRI reporting. It does not imply that the database is not adequate for the purposes for which it was designed.			

Air Releases

The 1990 amendments to the Clean Air Act require EPA to monitor and regulate the emissions of criteria air pollutants (CAPs) and hazardous air pollutants (HAPs). EPA is required to identify the sources of these pollutants, quantify the sources by category, develop regulations, and then assess public health and environmental impacts. To facilitate this process, two emissions inventories were created: the National Toxics Inventory (NTI) for HAPs and the National Emission Trends (NET) for CAPs. These two databases were combined in 1999 to form the National Emissions Inventory (NEI) database.

NEI is EPA's compilation of estimates of air pollutants discharged on an annual basis and their sources. NEI data are organized into four main categories: point sources (stationary), nonpoint sources (stationary), on-road sources (mobile), and non-road sources (mobile). The compilation includes emissions estimates submitted by state, local and tribal air pollution control agencies, estimates calculated by EPA, and emissions obtained from other sources. It may include multiple emissions values for each pollutant. From the NEI, EPA creates the General Purpose Release, the publicly available emissions inventory that contains a single emission value for each pollutant at a

given source. EPA uses the NEI to track emissions trends over time, develop regional pollutant reduction strategies, set and analyze regulations, perform air toxics risk assessments including inhalation risks and multi-pathway exposure, model air pollutant dispersion and deposition, and measure environmental performance as required by the Government Performance and Results Act.

Since 1996, EPA has compiled the NEI every three years. For 2008, the NEI business process was reengineered to shorten the period between the inventory year in which data were collected and publication. The most recent inventory is the 2005 NEI, which was published in 2008.

There are a number of differences in the scope of NEI and TRI data, including the type and number of pollutants measured, the industrial sectors included in the inventory, and the type of information collected (e.g., which environmental media releases are measured and what other release or management-specific information is collected). TRI includes 593 individually listed chemicals and 30 chemical categories—with the total number of chemicals and chemical categories at 682. The recent rule adding 16 NTP chemicals (effective RY 2011) increases the number of individually listed chemicals by 12 (from 581) and adds 4 chemicals to the PAC category. To be included in TRI, a chemical must be known or reasonably anticipated to cause acute or chronic health effects or significant adverse environmental effects. NEI covers 5 Criteria Air Pollutants (CAPs) and 189 Hazardous Air Pollutants (HAPs), 183 of which are also covered by TRI. Among industrial sources of chemical releases, only manufacturing facilities, federal facilities, and seven sectors added to the TRI Program in 1998 (metal mining, coal mining, fossil-fuel fired electric utilities, chemical wholesale distributors, petroleum terminals, and hazardous waste treatment and solvent recovery) are required to report chemical releases to TRI. The NEI, which covers all sources of CAP and HAP emissions, includes a number of sectors that are not included in TRI. For example, the agriculture, oil extraction and construction sectors are all included in NEI, but not TRI. In addition to point-source emissions estimates from industrial facilities, NEI includes county-level emissions estimates for area, mobile and other sources.

The sources included in TRI and NEI are further limited by various reporting thresholds. In addition to the sector criteria, a facility must report to TRI only if it has 10 or more full-time employee equivalents and manufactures, processes or otherwise uses any TRI-listed chemical in quantities greater than the established threshold. The most common reporting threshold quantities are 25,000 pounds for manufacturing and processing and 10,000 pounds for otherwise use. PBT chemicals have lower thresholds for reporting to TRI. For HAPs, under NEI, a facility must be included in the point source inventory if it has the potential to emit 10 or more tons per year of one HAP or 25 tons per year or more of any combination of HAPs. Information captured by TRI differs from that captured by NEI on a number of counts. TRI includes multimedia data about chemical releases. Unlike NEI, TRI includes data about activities such as surface water discharges, underground injection, and landfill disposal of toxic chemicals. It also includes source reduction and waste management data, which can be used to assess pollution prevention trends on a facility basis. NEI focuses entirely on air emissions, but provides much more detailed emission source-specific data about releases, such as process descriptions, throughput and stack height. The different information captured by the data systems largely reflects the different goals behind the development of the inventories. TRI's main purpose is to provide the public with information

about potential chemical hazards, whereas NEI was developed to produce data that would support modeling and risk assessment needs.

Water Discharges

The Permit Compliance System (PCS) tracks the permit compliance and enforcement status of facilities that discharge to surface waters (<http://www.epa.gov/enviro/html/pcs>). For entities permitted to discharge wastewater into navigable waters, PCS contains information on permit issuance and expiration dates, quantities the company is permitted to discharge, and the actual monitoring data showing what the company has discharged. PCS data are not directly comparable to TRI data because PCS is a permit tracking system and not a loadings system. Thus, PCS typically contains data on monthly monitoring of pollutant concentrations and flow, and not total releases. Since monitoring required by the National Pollutant Discharge Elimination System (NPDES) covers only selected chemicals in the wastewater, PCS contains data on a very limited number of the TRI chemicals. PCS has been modernized to the Integrated Compliance Information System (ICIS) as ICIS-NPDES.

Waste Disposal

Under the Resource Conservation and Recovery Act (RCRA), large quantity generators and treatment storage and disposal facilities are required to submit information on the generation, management, and final disposition of RCRA-defined hazardous wastes. Every two years, filers must report the following information about each waste generated or managed in the preceding year: constituent waste codes; amounts generated; on- and off-site treatment, storage, and management; wastes received; and off-site shipment recipients. Facilities submit these biennial Hazardous Waste Reports to the state or EPA Regional office. The biennial reports (BR) include one year's data (e.g., 2009 Biennial Report reflects data on waste management during 2009) and are stored centrally in EPA's RCRAInfo system where they are available approximately two years after the covered year (<http://www.epa.gov/epaoswer/hazwaste/data/biennialreport/index.htm>). Biennial Reporting System (BRS) data do not duplicate the information contained within TRI, as: (1) hazardous waste codes do not necessarily map to unique chemicals; (2) quantities of specific chemicals in the waste stream cannot be determined; (3) reporting occurs every other year, as opposed to annually for TRI; and (4) data are not available to the public until two years after reporting.

Chemical Inventory Data

TRI also contains inventory data, which make up a small portion of the total data. The most likely alternatives for TRI inventory data are the Tier I/II data reported under EPCRA §312. Under EPCRA §312, regulated facilities must submit annual inventory reports of hazardous chemicals stored on-site to the state. Tier I requires reporting on broad categories of physical hazards, while Tier II requires chemical-specific information by CAS number. The information contained in the Tier I and Tier II reports surpasses the chemical inventory data requested on TRI Form R in terms of the chemicals covered and level of detail. However, there are significant difficulties associated

with public access of Tier I and Tier II data, including the lack of a nationally integrated database and restrictions on public access due to security concerns.

Under §112(r) of the Clean Air Act, facilities with processes that use or store more than a specified amount of certain flammable and toxic substances are required to develop and implement a risk management program and submit to EPA a summary of their program—called a Risk Management Plan (RMP). These plans include the amounts (in pounds) of each substance that are processed or used, hazard assessments of the potential effects of hypothetical accident scenarios, a five-year history of accidental releases involving regulated substances at the facility, and information about the facility’s accident prevention and emergency response programs. Facilities with processes that use or store more than a threshold amount (500–20,000 pounds) of a listed chemical must file an RMP and update their filing at specified times, including following a significant accidental release. TRI data do not duplicate RMP data as: (1) RMP covers 54 of the TRI chemical and chemical compound categories,¹⁰ (2) some RMP data are considered to be confidential business information (CBI) and are therefore not publically available; and (3) reporting occurs every five years, as opposed to annually for TRI.¹¹

Pollution Prevention Data

In addition to release/transfer and inventory data, TRI also collects pollution prevention data from reporting facilities. Pollution prevention data somewhat analogous to data in TRI can be found in the Biennial Hazardous Waste Reports (described above) and in databases for two states administered by their state environmental agencies. While BR data provide qualitative and quantitative pollution prevention information, facility and/or chemical coverage is not directly comparable to data required for TRI reporting. BR contains data on generation, transfer, and management of hazardous wastes; TRI reporting requires data on toxic chemicals in waste streams or process by-products (all production phases and media). Furthermore, no other federal (or state) program collects all of the pollution prevention data currently required by TRI.

In Appendix C, data elements available from several information sources are compared to those reported to TRI. The analysis is broken down by the specific types of data collected under TRI. While Appendix C displays sources that might appear to be substitutes for TRI, they do not adequately address the entire scope of TRI, even in combination. For example, a given source may:

- not include all toxic chemicals covered by TRI,
- be compiled less frequently than TRI, and/or
- not be as easily accessible (if at all) to the general public.

¹⁰ http://www.epa.gov/osweroe1/docs/chem/list_of_lists_05_07_10.xls

¹¹ <http://www.epa.gov/oem/docs/chem/Chap-09-final.pdf>

3(b) Public Notice Required Prior to ICR Submission to OMB

EPA is submitting one combined request to renew existing approved ICRs for both Form R and Form A to OMB. Both ICRs are scheduled to expire on July 31, 2011. Before submitting the combined ICR to OMB for review and approval, EPA published an initial FR notice soliciting comments on specific aspects of the proposed information collection. A second FR notice will be published when the ICR is submitted to OMB for review, allowing another opportunity for public review and comments.

3(c) Consultations

EPA has consulted with a large number of individuals and organizations throughout all segments of the public in the development and continued implementation of the TRI Program. EPA has received feedback from environmental and public interest groups, trade associations, educational institutions, individual representatives, and others through its outreach efforts in venues such as:

- meetings with stakeholders to provide TRI program updates and obtain input on rulemakings;
- on-line dialogues to discuss issues such as options for reporting burden reduction;
- Webinars to provide training on various topics, including expanding the use of TRI for environmental justice; and
- the TRI National Training Conference, held every 18 months.

For more specific information on meetings and organizations consulted, see Appendix D. EPA continually seeks this feedback and incorporates it into the ongoing evolution of the TRI Program.

3(d) Effects of Less Frequent Collection

Section 313 requires annual reporting. Section 313(i) permits EPA to modify the reporting frequency by rulemaking; however, EPA must first notify Congress and then delay the initiation of such a rulemaking for at least 12 months, but no more than 24 months, from the date of the notification. In addition, EPA must find: that the modification is consistent with the provisions of subsection (h) of [§313] based on -

- (i) experience from previously submitted toxic chemical release forms
- (ii) determinations made under paragraph (3).

Paragraph (3), in turn, provides that EPA must determine:

- (A) The extent to which information relating to the proposed modification provided on the toxic chemical release forms has been used by the Administrator or other agencies of the federal government, states, local governments, health professionals and the public.

(B) The extent to which information is (i) readily available to potential users from other sources, such as state reporting programs, and (ii) provided to the Administrator under another federal law or through a state program.

(C) The extent to which the modification would impose additional and unreasonable burdens on facilities subject to the reporting requirements under this section.

Since TRI represents the best available multi-media database for tracking toxic chemical releases in the United States, a change in the reporting frequency to less than once a year could have a significant impact on the availability of timely toxic chemical data and affect data users, particularly at the community level. Additionally, public access to the most current toxic chemical release data and other waste management information would become more difficult.

3(e) General Guidelines

This ICR adheres to the guidelines stated in the 1995 Paperwork Reduction Act, as amended, OMB's implementing regulations, and all applicable OMB guidance.

Although reporting facilities are required to identify the chemical for which reports are submitted, they can claim the chemical identity as a trade secret. In such circumstances, a generic name is provided as part of the information made available to the public. EPA securely stores and maintains the true identity of the chemical (see also Section 3(f)).

EPA continues to encourage the electronic submission of TRI Form R/Form A through the Internet via EPA's Central Data Exchange (CDX) by using the Toxics Release Inventory Made Easy Web (*TRI-MEweb*) reporting software. *TRI-MEweb* helps facilities prepare high-quality reports more easily than they could using paper reporting forms due to a number of technology advances, including built-in data quality checks.

Small facilities (with fewer than 10 full-time employees or the equivalent) are exempt from reporting under EPCRA §313. Two particular provisions that apply to TRI reporters universally: 1) the optional range reporting provision¹² and 2) an alternate threshold allowing Form A eligibility, are particularly beneficial to non-exempt smaller facilities with small releases and wastes.

3(f) Confidentiality

Respondents may designate the specific chemical identity of a substance as a trade secret according to EPCRA §322. Procedures for submission and review of trade secret claims under EPCRA §313 are set forth in 40 CFR 350. When a facility claims the chemical identity to be a

¹² Range reporting provides an option for releases of less than 1,000 pounds to be recorded as a code representing one of three ranges (1 to 10 pounds, 11 to 499 pounds, or 500 to 999 pounds) rather than as a specific estimate of the release amount. Range reporting is not permitted on Form Rs for PBT chemicals. For further discussion, see Section 5(c).

trade secret and properly substantiates the claim, EPA will not disclose the identity of the chemical to the public. EPA securely stores forms with trade secret information and allows access to those documents only to persons with Trade Secret clearance. Data made available to the public through any means do not include trade secret information.

3(g) Sensitive Questions

This collection does not request any sensitive information.

4 THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) Respondents/NAICS Codes

The reporting requirements found in EPCRA §313 apply to owners and operators of facilities that have 10 or more full-time employees, manufacture or process more than 25,000 pounds or otherwise use more than 10,000 pounds of a listed chemical, and are in the manufacturing sector or in any of seven additional industry sectors added to the TRI Program by EPA in 1997 or are Federal facilities (regardless of industrial sector). Historically the TRI-covered industrial sectors were identified by their Standard Industrial Classification (SIC) codes. Beginning with Reporting Year (RY) 2006, the TRI Program converted from SIC codes to North American Industry Classification System (NAICS) codes (71 FR 32464, June 6, 2006). The full list of NAICS codes for facilities that must report to TRI (including exemptions and/or limitations), if all other threshold determinations are met, can be found in Appendix E.

4(b) Information Requested

(i) Data Items, Including Recordkeeping Requirements

A copy of the proposed Form R, Form R Schedule 1 and Form A are included in Appendix A. For instruction revisions associated with the proposed form revisions, see Appendix B. To access existing TRI Reporting Forms and Instructions, see <http://www.epa.gov/tri/report/#forms>.

Form R

Facilities reporting to TRI report releases and other waste management of listed chemicals on Form R. The required data items, which are summarized below, are specified in 40 CFR §372.85. Form R is divided into two sections. In **Part I**, respondents report facility identification information including: facility identification number; facility name and address; NAICS code; facility Dun and Bradstreet (D&B) number; parent company name for TRI reporting purposes; parent company D&B number; name, email address, and phone of the technical contact; and name, email address, and phone of the public contact. In **Part II**, respondents report:

- Toxic chemical identity,
- Mixture component identity,
- Activities and uses of the toxic chemical at the facility,

- Maximum amount of the toxic chemical on site at any time during the calendar year,
- Quantity of the toxic chemical entering each environmental medium on-site,
- Transfers of the toxic chemical in wastes to off-site locations,
- On-site waste treatment methods and efficiency, and
- Source reduction and recycling activities.

On Form R **Schedule 1**, facilities reporting on dioxin and dioxin-like compounds report the individual grams data for each member of the dioxin and dioxin-like compounds category present. Form R Schedule 1 is a four-page form that mirrors the data elements from Form R Part II Chemical-Specific Information sections 5, 6, and 8 (current year only).

Form A

Form A is also divided into two sections. **Part I** solicits the same information as Part I of Form R (see list above) but requires a different certification statement which represents a signed statement by a facility owner/operator or senior management official. In contrast to Form R where reduced threshold eligibility is not an issue, the Form A's signed statement certifies that the annual reportable amount as defined by 40 CFR 372.27(a) did not exceed 500 pounds for the reporting year, and that the amounts manufactured, or processed, or otherwise used did not exceed 1 million pounds for that year. In most instances, PBT chemicals may not be reported using Form A.¹³ In **Part II**, a facility may report multiple chemicals on a single Form A. Specifically Form A solicits:

- Toxic chemical identity, and
- Mixture component identity.

In addition to annual reporting requirements, facilities must maintain records used to provide the information required on the form according to 40 CFR §372.10. Those records may include estimation methodology and calculations; engineering reports; inventory, incident, and operating logs; and other supporting materials. Facilities must keep a copy of each report filed for at least three years.

Proposed Form Revisions

As mentioned above, EPA is proposing revisions to the Form R and Form A that standardize responses and enhance data utility. More specifically, the revisions to the forms and TRI Reporting Forms and Instructions (RFI) and rationale for the revisions are presented in Table 3.

¹³ The exception is lead in stainless steel, brass, or bronze alloys, which are not excluded from Form A eligibility.

**Table 3
Proposed Form Revisions**

	Form Revision	Rationale	Form
1	Replace the NA box in the Parent Company field with “No U.S. Parent Company (for TRI Reporting purposes)” check box (Part I: Sec. 5.1)	The NA box is currently used to indicate either a foreign parent company or no U.S. parent. To better facilitate analysis of the TRI data, EPA is replacing the “NA” option for parent company with a check box that reads “No U.S. Parent Company (for TRI Reporting purposes).” This change will more explicitly promote consistency in reporting the highest level U.S. company.	R/A
2	Disaggregate the “Total Transfers” field and add fields to identify chemical discharge quantities to specific publicly owned treatment works (POTWs) (Part II: Sec. 6.1)	The existing form collects a single “Total Transfer” quantity for transfers to all POTWs. Providing separate fields for the transfer quantity to each POTW will facilitate analysis of the releases to specific watersheds.	R
3	Section 8 Enhancements <ul style="list-style-type: none"> ◦ Change instructional statement on form to specify only “newly implemented” source reduction activities (Part II: Sec. 8.10). ◦ Add an “NA” box to match associated text revisions (Part II: Sec. 8.10) ◦ Remove the “Yes” box and enlarge the text section for question on optional Pollution Prevention information (Part II: Sec. 8.11). 	The existing form requests information on “any source reduction activities for this chemical during the reporting year;” but the Reporting Forms and Instructions request information on only “newly implemented” source reduction activities. This change on the form will remove this difference, and specify that only new activities should be reported. It also provides a larger text box (8.11) where facilities can provide optional information on source reduction, recycling, or pollution control activities.	R
4	Add a new question to capture miscellaneous and optional information regarding the submission (Part II: Sec.9.1).	This new text box allows facilities to provide optional, miscellaneous information that may be helpful to EPA and/or the public in using or interpreting their data (e.g., facility closures, explanations for changes in release quantities, etc.).	R
5	Add NA boxes (Part II: Sec 5.3, 6.1, 6.2)	Add NA boxes were appropriate to improve consistency within the form.	R (including R Schedule 1)

(ii) Respondent Activities

Facilities engage in a number of activities to comply with the EPCRA §313 reporting requirements. These activities can be divided into two distinct groups: Form Activities, consisting of rule familiarization, compliance determination, calculations and form completion, and recordkeeping and submission; and Non-Form Activities, consisting of supplier notification, non-reporter compliance determination, and petitions.

Form Activities

- **Rule Familiarization:** Staff of a facility that is reporting under EPCRA §313 for the first time must read the reporting package and become familiar with the reporting requirements. This includes the time needed to review instructions, and the time needed to train personnel to respond to a collection of information.
- **Reporter Compliance Determination:** At reporting facilities staff must make the determination that the facility meets the criteria for EPCRA §313 reporting. This activity includes the time required to become familiar with the definitions, exemptions, and threshold requirements under the TRI Program, to review the list of TRI chemicals, and to conduct preliminary threshold determinations to determine if the facility is required to report.
- **Calculations and Form Completion:** Facility staff must gather data and perform calculations to provide the information required on the form. This activity includes the time required to search data sources and the time to complete and review the information.
- **Recordkeeping and Submission:** Facility staff must maintain recordkeeping systems and submit the report to EPA and the state in which the facility is located. This activity includes the time required to transmit or otherwise disclose the information.

Non-Form Activities

- **Supplier Notification:** Certain suppliers of mixtures or trade name products containing reportable substances must annually notify their customers of the product's composition, if the customer is subject to EPCRA §313 reporting. This activity includes the time required to inform customers, either by letter or through the materials safety data sheet (MSDS) for the product.
- **Non-Reporter Compliance Determination:** In any given reporting year, a group of eligible facilities will complete compliance determination but will not file a Form R or Form A. The activity is the same as is presented above under Form Activities; however, given that compliance determination applies to all other facilities in NAICS-code-eligible sectors (with ten or more employees)—including those that ultimately do not report to TRI—the latter category is accounted for in this separate activity.

- **Petitions:** Any person may petition the EPA to add or delete a chemical from the TRI toxic chemical list. EPA evaluates the toxicity of the chemical against the listing criteria established by Congress and makes a determination whether to grant or deny the petition request. If the petition is granted, EPA will propose a rule to either add or delete the chemical and after reviewing the public comments will issue a final rule. If the petition is not granted, EPA issues a notice explaining why the petition was denied. The activities required to prepare and file a petition are listed below.
 - Read EPA policy and guidance documents and consult with EPA;
 - Plan activities;
 - Prepare literature search;
 - Conduct literature search;
 - Process, review, and focus information;
 - Write petition;
 - Review and edit petition; and
 - Submit petition to EPA and file.

EPA provides the reporting community with instructions, guidance documents, training materials, and toll-free hotlines to assist them in completing and submitting their reporting forms to EPA.

5 THE INFORMATION COLLECTED—AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) Agency Activities

EPA engages in many activities to fulfill the purpose and requirements of EPCRA. These activities can be grouped in the following categories that cover what the Agency does to assist the regulated community with compliance, to process the data, to maintain the database, and to make the data available:

- Assistance to Reporters
- Electronic Reporting
- Paper-Based Reporting
- Data Processing and Quality Control
- Database Organization
- Links to State Reporting
- Making Data Available
- List Revisions and Petition Reviews
- Trade Secrecy Reviews

Assistance to Reporters. The Agency operates an outreach program to assist reporters with activities related to Form R/Form A completion. EPA provides TRI reporting assistance with a variety of online tools and guidance, including TRI Reporting Forms and Instructions and *TRI-MEweb* (TRI Made Easy) reporting software. *TRI-MEweb* is a web-based software application that TRI facilities can use for entering, validating and submitting their data. The TRI Program

also provides both basic and advanced downloadable TRI training slides plus online audio training modules on the TRI Web site.

EPA operates two toll-free hotlines to answer general questions and questions pertaining to electronic reporting and data certification over the Internet. In addition, the Agency maintains a Web site with current program-specific information and guidance (<http://www.epa.gov/tri>). General guidance has been prepared for estimating releases, including 14 industry-specific guidance documents. Additionally, EPA provides guidance and assistance for persons or organizations regarding petitions to add or delete chemicals from the TRI list.

Electronic Reporting. As observed in 2010 for reporting year (RY) 2009, ninety-seven percent of all TRI Form Rs and Form As were prepared and submitted electronically using *TRI-MEweb*.^{14,15} Capabilities in *TRI-MEweb* include:

- **Easy Upload and Validation Checks.** Facilities can key or upload their data into *TRI-MEweb*. *TRI-MEweb* also provides facilities with extensive data validation checking through point-of-entry edit checks as well as a cumulative, mandatory validation checks prior to submission.
- **Submittal to the Central Data Exchange.** After entering their data into the *TRI-MEweb* application and validating them, facilities can submit their data via EPA's Central Data Exchange (CDX) for certification.
- **Automatic Data Transmittal.** Once a TRI submission has been certified by a facility's certifying official, CDX automatically forwards it to the TRI EPCRA Data Processing Center (DPC) where it is loaded into the TRI Processing System (TRIPS) database. The TRIPS database is located at EPA's National Computer Center in Research Triangle Park, NC.
- **State Government Data Submittal.** Through the TRI Data Exchange, facilities are able to submit the data via CDX and have the data transmitted to both EPA and the participating State government. This reporting option allows facilities to fulfill their legal obligation to report to both EPA and the appropriate State through a single transmission of data to CDX.
- **Preloaded Forms and Central Data Storage.** The *TRI-MEweb* application allows users to preload their forms with prior year data stored in an EPA-maintained database. This database is currently separate from the TRIPS database which is used to store certified TRI submissions.

¹⁴ Based on TRI 2009 baseline dataset from EPA 9/16/2010. This dataset does not include revision submissions or withdrawals.

¹⁵ Prior to *TRI-MEweb*, TRI reporting software had been desktop-based, distributed via the TRI Web site and mailed directly to facilities (via CD-ROM) each year. In RY 2007, *TRI-MEweb*, the new Web version of TRI-ME, was fully launched. The TRI-ME desktop software was retired from service in RY 2009.

- **Quick Lists.** *TRI-MEweb* provides “quick lists” that allow users to narrow their data entry to only the pertinent areas.
- **Data Quality Checks.** *TRI-MEweb* contains a number of data quality checks including internal consistency and semantic checks that compare a facility’s data to prior year submissions.
- **On-Line Revisions and Withdrawals.** The application allows online revision and withdrawal of data by facilities. Through this feature, facilities are able to access previously submitted forms, and revise or withdraw as needed.
- **Automated Section 8 Calculator.** *TRI-MEweb* automatically calculates Section 8 Column B (current year) estimates based on data entered in other form sections. Users may tailor the calculation's inputs, but cannot enter their own calculated values. This approach is intended to reduce the frequent mathematical errors in Section 8 and simplify the reporting process.
- **TRI Assistance Library.** An online TRI Assistance Library is available to help facility reporters complete their TRI submissions.

Paper-Based Reporting. Facilities can also submit data to TRI on paper forms. When facilities submit TRI reports on paper, the information is keyed into the TRIPS database. Automated data quality checks begin at data entry. At this point, the emphasis is on identifying forms that are not completed correctly and cannot be processed further because of fundamental errors (e.g., no chemical specified).

Data Processing and Quality Control. Once the reported data have entered the TRIPS database, some validation checks that were initially run via the *TRI-MEweb* application are repeated. For paper submissions, these checks are performed for the first time. In addition, a set of data quality checks that compare the incoming data with the prior year’s data and various data threshold checks are performed on the data for the first time.

Upon the completion of the data validation and quality checks, Facility Data Profile (FDP) reports are generated and made available for facility review on the FDP Web site. The reports contain an echoing back of the data and all validation and data quality messages. Facilities are notified by e-mail when a report becomes available. After review, facilities can revise their data by submitting a certified replacement form via the *TRI-MEweb* application or on paper.

Database Organization. EPCRA §313(j) requires EPA to make the TRI data available to the public. EPA ensures that each facility has a unique identifier—the TRI facility ID (TRIFID). EPA generates a TRIFID for newly reporting facilities at the time of data entry. The identification number allows easy retrieval of cross-year data, even when a facility is sold or changes its name. Facilities are notified of their TRIFID and required to use it consistently over time.

Links to State Reporting. Under EPCRA §313, facilities are required to submit forms to both EPA and the State agency in which they operate. For coordination, tracking, and quality

assurance purposes, EPA and the State agencies reconcile their submissions at the end of the reporting cycle.

In 2004, EPA implemented the TRI State Data Exchange (now referred to as the TRI Data Exchange), which enables facilities to simultaneously submit their data to EPA and the State in which they are located. This reporting option allows facilities to fulfill their legal obligation to report to EPA and the State through the sole submission of data through CDX.

Making TRI Data Available. Many options are available for accessing TRI data—ranging from data files to refined analyses. The annual TRI National Analysis (previously known as the Public Data Release) is an overview of the most recently reported TRI data. It includes key findings, in-depth analyses, and information on trends. Three on-line data access tools: TRI Explorer, Envirofacts and TRI.NET, make TRI data available to the public for further analysis. TRI.NET can also be used to view and analyze TRI data using geospatial capabilities and allows users to combine TRI data with other related data for further analysis.

The TRI Program historically did not release the latest year of TRI reported data until the release of the TRI National Analysis. However, starting in 2009, EPA began releasing the most recent year of TRI data within weeks after the July 1st reporting deadline. The TRI preliminary dataset is made available in downloadable data files, as well as via TRI Explorer and Envirofacts.

List Revisions and Petition Reviews. The list of toxic chemicals subject to reporting under EPCRA §313 is subject to change. Regulatory additions or subtractions of chemicals from the list of TRI-covered chemicals can be initiated by EPA independently or in response to a petition.

Trade Secrecy Reviews. Facilities claiming a chemical identity as a trade secret must substantiate the claim by completing the Trade Secret Substantiation Form available from the TRI Web site (www.epa.gov/tri) under "TRI Reporting Materials." For more information on trade secrecy reviews, including the costs to EPA, see the ICR for the Trade Secrecy Rule for EPCRA (EPA #1428, OMB #2050-0078).

5(b) Collection Methodology and Management

EPA continues to encourage Form R and Form A submissions through the Internet via EPA's CDX and the *TRI-MEweb* application. For RY 2009, ninety-seven percent of all TRI submissions were prepared using *TRI-MEweb* and submitted electronically to EPA via CDX.

5(c) Small Entity Flexibility

Under EPCRA §313 (b)(1)(A), facilities with fewer than 10 full-time employees (or the equivalent) are not required to report. In addition, EPA has taken several steps to minimize the burden for covered small businesses. A range reporting option was added to the Final Rule (53 FR 4500, February 16, 1988) that codified the EPCRA §313 reporting requirements. Range

reporting was the preferred option from the Regulatory Flexibility Act analysis to provide burden reduction for small businesses. Range reporting provides an option for releases of less than 1,000 pounds to be recorded as a code representing one of three ranges (1 to 10 pounds, 11 to 499 pounds, or 500 to 999 pounds) rather than as a specific estimate of the release amount. The benefit is not, however, limited to small businesses. Note that range reporting is not permitted on Form Rs for PBT chemicals.

In response to a petition from the Small Business Administration, EPA promulgated the alternate threshold (59 FR 61488, November 30, 1994), manifested in Form A reporting, as discussed in Section 1(b). Although any reporting facility meeting the criteria may use the alternate threshold, this alternate threshold may be particularly advantageous to small entities.

5(d) Collection Schedule

Facilities must report their information on a calendar-year basis, and submit Form Rs or Form As to EPA by July 1 of the following year. In response to public requests to shorten the time frame for release of TRI information, TRI began a modernization effort in 2007 that included a transition to *TRI-MEweb* from the TRI-ME desktop software, and a number of streamlining initiatives. One of the resultant improvements was the Preliminary Data Release which provides TRI data as quickly as possible after the reporting deadline. In 2009, EPA released toxic chemical data to the public in mid-August, less than two months after the July 1st reporting deadline. In 2010, EPA released data less than one month after the reporting deadline in the TRI preliminary dataset with downloadable data files and access via TRI Explorer and Envirofacts.

6 ESTIMATING THE BURDEN AND COST OF THE COLLECTION

This information collection activity imposes burden and cost on certain facilities affected by EPCRA §313 reporting requirements. It also imposes costs on EPA to process and make available the data collected and stored in the Toxics Release Inventory. The following sections present the derivation of Form R and Form A respondent burden and cost as well as Agency burden and cost. For TRI reporters, estimates of average Form R and Form A reporting burden per respondent are presented. These form-level unit burden estimates are then combined with an appropriate wage rate to develop unit costs. Total Form R and Form A respondent burden and costs are estimated by combining the universe of reporting forms with estimates of unit burden and cost. This universe of reporting forms is based on reporting in RY 2009 plus updates to reflect changes during the year of the ICR project—in this case, the modeled number of chemicals and facilities estimated to report under the Addition of National Toxicology Program Carcinogens rule, published on November 26, 2010. The combined total number of forms and facilities (i.e., respondents) is hereafter referred to as the ICR Universe. The methodology used to estimate reporting burden in this ICR Renewal—Ratio-Based Burden Methodology (RBBM)¹⁶—is a restructured and

¹⁶ *Revising TRI Burden to Ratio-Based Methodology*, TRI Regulatory Development Branch, TRI Program Division, Office of Information Analysis and Access, Office of Environmental Information, January 2011, EPA Docket ID Number EPA-HQ-OEI-2010-0835; hereafter referred to as RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

simplified formulation of the previously employed methodology.¹⁷ When estimating reporter burden using RBBM, the Nominal Form R unit burden (35.7 hours) is the base number and Form A unit burden is set at 61.5% of that value. These unit burdens reflect burden associated with form activities including rule familiarization, reporter compliance determination, calculations and form completion, and recordkeeping. In addition to Form R and Form A burden, total TRI program burden is captured by adding non-form burden associated with supplier notification, non-reporter compliance determination, and petitions to form burden.

OMB approved separate Form R and Form A ICRs on March 2, 2008. The current expiration date for both forms is July 31, 2011. The OMB approved burden numbers at that time were 3,217,280 hours for Form R and 515,901 hours for Form A, totaling 3.73 million hours. Several changes in the burden estimates have been approved by OMB since the OMB approvals of the ICRs on March 2, 2008.¹⁸ On March 20, 2009, OMB approved the merging of the ICR for TRI detailed reporting on dioxin and dioxin-like compounds (OMB 2025-007, ICR 2086.02), into the TRI Form R ICR (currently OMB Control Number 2025-0009), increasing burden by 899 hours. Then on March 27, 2009, OMB approved changes in the number of responses and the burden hours for Form R and Form A to reflect the passage of Section 425 of the Omnibus Appropriations Act of 2009, which rescinded the December 2006 Toxics Release Inventory Burden Reduction Rule.¹⁹ As a result, the OMB-approved numbers for Form R were increased by 140,565 hours and for Form A burden were decreased by 318,418 hours yielding a net increase of 458,983 hours. Most recently, on November 26, 2010, the Addition of National Toxicology Program Carcinogens rule was published in the Federal Register. This rule is estimated to increase the number of reporting facilities by 74 and the number of Form Rs submitted by 186 with an associated burden increase of 6,641 hours.

Meanwhile, over the past several years, there has been a slight decrease in the number of facilities reporting to TRI. Based on the latest data for RY 2009 with updates to reflect the estimated additional reporting resulting from the Addition of National Toxicology Program Carcinogens rule, EPA now estimates the total number of combined Form R and Form A responses to be 73,727, the associated total annual burden hours to be 3.52 million and the annual cost to be \$174.5 million (see Section 6(b) for breakdown by Form R, Form A, and non-Form contributions). These estimates incorporate the proposed revisions to Form R and Form A which have been estimated to have a negligible impact on form burden.

For Agency burden, estimates of costs for RFI and Compliance Assistance; TRI Reporting Software and Related Data Collection/Exchange IT Infrastructure, and Data Processing are presented. In Agency form processing cost estimates, the RY 2009 distribution of submission

¹⁷ As opposed to a system several large matrices containing mixed scales, this structure is four ratio models plus a base number for Nominal Form R unit burden. For mathematical derivations, See Ibid.

¹⁸ For a complete chronology of rule changes and ICR renewals along with resultant impact on Form R reporting burden, see Figure 2 and Table 18.

¹⁹ The 2009 Omnibus Appropriations Act revised Form A eligibility, reverting back to criteria in place prior to the 2006 Phase II Burden Reduction rule. This effect shifts about 3% of reported chemicals from Form A to Form R, as estimated based on RY 2007 TRI frozen data.

media (paper versus *TRI-MEweb* submissions) is assumed to be the same over the course of the next ICR period.

6(a) Estimating Respondent Burden

This section presents the burden of this information collection activity to Form R and Form A respondents in terms of the time required for facility personnel to perform the activities outlined in Section 3 of this document. In the past, these burden estimates were based on previous ICRs and economic analyses, respondent experience as reflected in comments to EPA and other parties, best professional judgment, and information acquired through site visits and telephone interviews. For this ICR, EPA implemented a revision to the existing methodology, called Ratio-Based Burden Methodology (RBBM), to estimate TRI respondent burden for both Form R and Form A reporting.²⁰

Ratio-Based Burden Methodology simplifies calculations, imposes internal consistency, and sharpens transparency while retaining the components of the existing methodology and maintaining its overall total burden estimate as a starting point.²¹ Additionally, by virtue of RBBM's structure, the methodology prevents accounting errors.²² For activities associated with filing TRI chemical reports, RBBM burden estimates include rule familiarization, reporter compliance determination, calculations and form completion, and recordkeeping. Similarly, for activities unrelated to form reporting (non-form burden) RBBM estimates include supplier notification, non-reporter compliance determination, and petitions.

Figure 1 presents the equations of RBBM's primary method: Steady State Total Burden Calculation. With RBBM's calculation of form burden, the only variables/inputs required are total counts for Form R Chemicals and Form A Chemicals. The factors/constants of the equations include:

1) Nominal Form R unit burden, in units of burden hours per Form R Chemical and 2) A/R,²³ a model for the ratio of Form A (single-chemical)²⁴ to Form R burden.

As shown in Figure 1, Nominal Form R unit burden is multiplied by the number of Form R Chemicals to estimate the total Form R burden. Similarly, Form A unit burden (formulated as the product of A/R and Nominal Form R unit burden) is multiplied by the number of Form A

²⁰ For references on methodology development, see RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

²¹ At the time of transition (the start of the 2008 ICR) the comparison between totals is exact. Later, in an interim spot-check (April 2010), totals were within 2%.

²² The simplicity of RBBM reduces accounting errors in general; but more specifically, the structure prevents errors related to double-counting. See discussion in RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

²³ In A/R, Form A unit burden is derived using the activities associated with the subset of elements from Form R that a reporter would complete in order to determine TRI reporting eligibility and file a Form A, ensuring internal consistency. For further details, see RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2010.

²⁴ Although Form A permits multiple chemical reports on the same form (on average 2.31 Chemicals per Form A), for purposes of methods development and modeling, EPA works with chemical counts, referring to "Form R Chemicals" and "Form A Chemicals."

Chemicals to estimate total Form A burden. For cross-reference to the activities associated with form reporting, Table 4 shows the percent contribution of each Form R activity (and related Form A activity) to total burden.

Figure 1
Ratio-Based Burden Methodology^a
Two Burden Factors; Two Chemical Counts; One Wage Rate

Steady State Total Burden Calculation

$$(1) \text{ Steady State Total Burden} = \text{Form R Burden} + \text{Form A Burden} + \text{Non-Form Burden}$$

Where:

$$\text{Form R Burden} = (\# \text{ Form R Chemicals}) * (\text{Nominal Form R Unit Burden})$$

$$\text{Form A Burden} = (\# \text{ Form A Chemicals}) * (A/R) * (\text{Nominal Form R Unit Burden})$$

$$\text{Non-Form Burden} = \text{Supplier Notification} + \text{Non-Reporter Compliance Determination} + \text{Petitions}$$

And:

$$A/R, \text{ Ratio of Form A Burden to Form R Burden} = 0.615$$

$$\text{Nominal Form R Unit Burden} = 35.7 \text{ hours per Form R Chemical}$$

$$\text{Form A Unit Burden (derived)} = 22.0 \text{ hours per Form A Chemical}$$

$$(2) \text{ Steady State Total Cost} = \text{Steady State Total Burden} * (\text{WAWR})$$

And:

$$\text{WAWR, Weighted Average Wage Rate} = \$49.62/\text{hr}^b$$

^a For a complete description of the Ratio-Based Burden Methodology, see “Revising TRI Burden to Ratio-Based Methodology” (RBBM Reference Document -Docket #EPA-HQ-OEI-2010-0835, EPA, 2011).

^b Based on June 2010 wage data. Wage data: <http://www.bls.gov/ncs/ect/#tables>

RBBM incorporates a number of simplifications.²⁵ First, burden factors associated with activities incurred at the facility level (e.g., reporter compliance determination) have been rescaled as form-level factors, providing a uniform scale for all relevant factors. Second, first year filing is no longer included in the Steady State Total Burden due to negligible impact. Third, it is no longer necessary to account for burden by chemical type (PBT versus non-PBT). Last, burden need not be estimated using three separate labor categories (management, technical, clerical) because with RBBM, a weighted average wage rate (WAWR) is applied to the overall burden hours to estimate cost.

²⁵ For verification of assumptions related to these simplifications, see RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

Table 4: Ratio-Based Burden Methodology Components

			Ratio-Based Burden Methodology Unit Burdens ^a			
			<i>100%=Form R Unit Burden</i>			
			Ratio Model Bases	Form R %	Derived Form A ^b %	
Nominal Form R (non-PBT)	Subsequent Year (Steady State)	Facility Burden Apportioned to Form R	Activity			
			R/A Chemical	0	0	
			R/A Chemical	2.58	2.93	
	Form R	Calculations and Form Completion		R/A Chemical	57.49	18.64
		Recordkeeping			39.93	39.93
	Form Burden Per Chemical Total Percentage of Form R Unit Burden			100.00	61.50	

^a Consistent “per chemical” scale.
^b Form A burden estimates are derived from Form R by summing the burden associated with Form R data elements for which a reporter would make calculations to determine their Form R eligibility as well as the data elements they actually report on Form A (basis of Form A and Form R as of 2008 ICR Renewal).

The burden estimates used by EPA are considered to be average values for the reporting community overall. As with any average, some facilities will be above the average, and others will be below it. Large, complex facilities may require more than the average time to comply; however, many other facilities subject to the rule are not large or complex. Overall, EPA considers the TRI Program burden estimates to be reasonably representative of the reporting community overall, on average.

Form R and Form A Respondent Requirements

As noted in Section 4(b)ii above, facilities engage in a number of activities to comply with the EPCRA §313 reporting requirements. These activities can be divided into two distinct groups: Form Activities, consisting of rule familiarization, reporter compliance determination, calculations and form completion, and recordkeeping and submission; and Non-Form Activities consisting of supplier notification, non-reporter compliance determination, and petitions. A detailed description of these activities is presented in Section 4(b)(ii).

Form Activities

- Rule Familiarization
- Reporter Compliance Determination
- Calculations and Form Completion
- Recordkeeping and Submission

Non-Form Activities

- Supplier Notification
- Non-Reporter Compliance Determination
- Petitions

Note that for burden unrelated to reporting on a Form R or Form A, the RBBM simplifies calculations by holding all of these values at a constant level, as estimated in the 2008 ICR Renewal.²⁶

Updating Nominal Form R and Form A Unit Burdens

As noted above, this ICR Renewal uses the RBBM to estimate total TRI Program burden. However, the RBBM's initial basis uses TRI reporting conditions as captured at the beginning of the 2008 ICR Renewal. Since that time, new dioxin reporting requirements—which affect Form R unit burden—have taken effect under EPCRA section 313, and according to RBBM necessitate a revision to the estimate for Nominal Form R unit burden. Therefore, the additional burden created by the dioxin requirements must be accounted for in the beginning of the 2012 ICR Renewal, and in this Supporting Statement's analysis. Using RBBM and RY 2009 TRI data as bases,^{27, 28} as shown below, the unit reporting burden in this ICR Renewal reflects the updated Form R and Form A unit reporting burdens.

²⁶ RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

²⁷ Using the RBBM, additional burden associated with form changes are readily estimated. Specifically, the method provides a standardized set of form element burdens for use when estimating additions to the Form R (from which Form A burden is calculated, as explained above). For a more detailed description of form element estimation using the new method, see Appendix C of RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

²⁸ Information from the EA associated with the rule was also consulted. *Analysis of the Estimated Burden and Cost of Form R Schedule 1 for Dioxin and Dioxin-like Compounds; Toxic Equivalency Reporting; Community Right to Know Toxic Chemical Release Reporting* (May 10, 2007).

Since the last ICR Renewal, other substantive changes occurred via rulemakings. Due to the 2009 Omnibus Appropriations Act which reversed the TRI Burden Reduction Rule, the total number of Form Rs filed by facilities was expected to increase and the number of Form As filed by facilities was expected to decrease. Most recently, on November 26, 2010, the Addition of National Toxicology Program Carcinogens rule was published in the Federal Register. This rule is estimated to increase the number of reporting facilities by 74 and the number of Form Rs submitted by 186. The unit burdens associated with filling out Form R and Form A, however, remain unchanged. The anticipated change in the number of Form Rs and Form As filed is discussed in Section 6(d).

Additionally, EPA is proposing to revise data elements and revise instructions for Form Rs and Form As that would improve the consistency and utility of TRI data. However, the revision of data elements and certain instructions is estimated to have no measurable impact on Form R and Form A burden.

The following discussion explains how Form unit burdens are affected by changes from rulemakings since the last ICR and how it will be negligibly affected if the proposed form revisions are finalized (analysis is based on RY 2009 data with updates to reflect the estimated additional reporting resulting from the Addition of National Toxicology Program Carcinogens rule).

Dioxin Reporting Requirements

On May 10, 2007, the Toxics Release Inventory Program issued a final rule expanding reporting requirements for the dioxin and dioxin-like compounds category. There are 17 distinct members of this chemical category listed under TRI. The final rule removes the requirement to report the single distribution of compound to the dioxin category and further requires that, in addition to the total grams released for the entire category, facilities must report the quantity for each individual member on a new Form R Schedule 1. EPA uses the individual mass quantity data to calculate toxic equivalency (TEQ) values that are made available to the public along with the mass data.

To account for the additional reporting burden created by the dioxin rule,²⁹ the standardized form element burdens developed in the RBBM are used to estimate additional burden to dioxin reporters (specifically those reporters that provide a congener distribution, which is estimated to occur on 94% of dioxin forms). This additional unit burden is then weighted to reflect the

²⁹ As a result of this rulemaking, each facility is now required to report the total grams of dioxin and dioxin-like compounds released to each environmental medium, transferred off-site, or managed as waste in Sections 5, 6, 7, and 8. Reporting burden estimates from the Dioxin EA use the existing (non-RBBM) methodology and therefore are updated here according to RBBM, based on actual reporting as effected by the rule. For details of the EA estimates, see *Analysis of the Estimated Burden and Cost of Form R Schedule 1 for Dioxin and Dioxin-like Compounds; Toxic Equivalency Reporting; Community Right to Know Toxic Chemical Release Reporting*. May 10, 2007. Note that as the information required to estimate these quantities was already calculated by reporters prior to the dioxin rule, the additional time required to report the quantity for each individual member on Form R Schedule 1 is small.

percent of dioxin reports in the total universe of TRI reports (1.6%) and added to Nominal Form R unit burden.

In the RBBM, the standardized form element burden category "Quantity Derived from Relevant Section 5 and 6 Data Elements" provides an estimate for filling in a data element where calculations have occurred as a part of an existing data element. EPA estimates 05.25 minutes will be required to fill out a subsection on Form R Schedule 1. In this estimate, EPA assumes that dioxin reporters fill out an average of 4 subsections on Form R.³⁰ Therefore, total incremental burden is estimated to be 21 minutes or .35 hours per Form R Schedule 1 (i.e., per dioxin respondent).

As not all TRI reporters fill out Form R Schedule 1, this additional burden is weighted by the percent of total reporters that fill out dioxin reports and then added to Nominal Form R unit burden (35.7 hrs). The calculation is presented below. Note that all form counts and percentages are based on chemical reports for RY 2009 data.

(Eq.1)

	Updated Nominal Form R Unit Burden	=	Additional Form R Schedule 1 Unit Burden × ((Total # of Dioxin Form Rs × Percent of Dioxin Form Rs Reporting Congener Distribution) / Total Number of Form Rs) + Nominal Form R Unit Burden
--	--	---	--

$$35.70516 = .35\text{hrs} ((1,094 \times .94) / 69,690) + 35.7$$

Addition of National Toxicology Program Carcinogens

On November 26, 2010, the Toxics Release Inventory Program issued the Addition of National Toxicology Program Carcinogens rule adding 16 chemicals, identified as carcinogens by the National Toxicology Program (NTP), to the list of reportable TRI chemicals. These 16 chemicals meet the EPCRA Section 313(d)(2)(B) criteria for listing because they are reasonably anticipated to be a human carcinogen by the NTP in its Report on Carcinogens (ROC) document. Further, EPA estimates that facilities currently manufacture, process or otherwise use these chemicals above TRI thresholds and therefore would file TRI reports. All chemical reports are assumed to be filed as Form R reports. Therefore, the total number of additional TRI reports expected due to the rule is 186 Form Rs, and the number of new facilities reporting to TRI is 74. Note that this rule does not affect the value of the Nominal Form R unit burden.

³⁰ Same assumption as used in the dioxin rulemaking Economic Analysis.

Revised Data Elements

EPA is proposing several revisions to Form R and Form A. As mentioned above, these revisions will contribute to the standardization of responses and enhancement of data utility. Specifically, EPA is proposing:

- to replace the NA box in the Parent Company field (section 5.1 of Form R and Form A) with a “No U.S. Parent Company (for TRI Reporting purposes)” check box and revise the instructions. The NA box is currently used to indicate either a foreign parent company or no U.S. parent. At the margin, renaming “NA” to “No U.S. Parent Company (for TRI Reporting purposes)” does not constitute enough change to estimate additional burden. Rather, the change serves to clarify the existing forms. This change will facilitate analysis of the TRI data at the highest level U.S. company.
- to disaggregate “total transfers” fields in Form R, Section 6.1 and provide space to identify chemical discharge quantities to specific publicly owned treatment works (POTWs). The existing form collects a single “Total Transfer” quantity for transfers to all POTWs. Providing separate fields for the transfer quantity to each POTW will facilitate analysis of the releases to specific watersheds. This change is estimated to impose no additional burden as no additional data are to be calculated by the reporter. Note that the total release data, which are made up of the individual discharge data, were already requested on the existing form. As an additional, but not pivotal consideration, more than 99% of forms submitted to TRI in RY 2008 only listed a single POTW, thus the total release that would have been reported on the existing form would also be reported to satisfy this form change.³¹
- to revise the instructional statement for element 8.10 on the form to specify only “newly implemented” pollution prevention activities, while adding an “NA” box to match associated text revisions. Additionally, EPA is proposing to remove the “Yes” box and enlarge the text section for the question on optional pollution prevention information (element 8.11.) As important context, the existing instructional statement for 8.10 requests information on “any source reduction activities for this chemical during the reporting year;” but the Reporting Forms and Instructions request information on “newly implemented” source reduction activities. This revision on the form will remove this difference and clarify reporting facilities’ requirement to report only new source reduction activities where the existing form and instructions are inconsistent. However, with this change, no measureable burden increase is identified because the change in form instructions only serves to clarify the form’s intent. In the existing form, the instructions asked for “any source reduction activities” to be listed, which included both new and ongoing activities. The new form instructions provide a clarification stating that the listed source reduction activities should only include “newly implemented” activities; therefore, no additional information is requested from the reporter, implying that no additional burden is incurred.
- to add an additional question—Form R Section 9.1, to allow facilities to provide optional, miscellaneous information about the submission that may be helpful to EPA and/or the public in using or interpreting their data (e.g., facility closures, explanations for changes in

³¹ TRI 2008 PDR, RY 2008 via TRI.NET

release quantities, etc.). Because this is an optional, and an open-ended question, by convention, no regulatory burden is imposed on facilities with its addition.

- to add NA boxes in three sections 5.3, 6.1, 6.2 of Form R and Form R Schedule 1, and an NA box in Section 8.10 of Form R. At the margin, including these NA boxes does not constitute enough change to the forms to increase the estimate of the burden. Rather, the NA boxes serve to clarify the existing forms and standardize responses.

The changes proposed, along with their contributions to the forms and estimated additional burden are presented in Table 5.

Table 5
Additional Unit Reporting Burden Associated with New Data Elements

Section Number	Form Change	Estimated Burden (minutes)
Form R, Form A – Part I: Section 5.1	Replace the the NA box in the Parent Company field with “No U.S. Parent Company (for TRI Reporting purposes)” check box	0.00
Form R – Part II: Section 6.1, 6.1A, 6.1B	Disaggregate “total” fields and add fields to identify chemical discharge volumes for specific publicly owned treatment works (POTWs)	0.00
Form R – Part II: Section 8.10	Change instructional statement on form to specify only “newly implemented” pollution prevention activities	0.00
Form R – Part II: Section 8.10	Add an “NA” box to match associated text revisions	0.00
Form R – Part II: Section 8.11	Remove Yes box and enlarge the text box for question on P2 optional information	0.00
Form R – Part II: Section 9.1	Add question capturing miscellaneous and optional information regarding the submission	0.00
Form R, Schedule 1 – Part II: Section 5.3	Add NA box	0.00
Form R, Schedule 1 – Part II: Section 6.1	Add NA box	0.00
Form R, Schedule 1 – Part II: Section 6.2	Add NA box	0.00

Table 6 presents the average annual burden hour estimates by form type which incorporates updates related to dioxin reporting requirements and proposed revised data elements.

Table 6
Reporter Average Annual Burden Hour Estimate by Form Type

Form Type	Unit Burden Hours Per Form
Form R (Including Form R Schedule 1)	35.70516
Form A	21.95867

Notes:
1) Unit burdens include burden for all activities associated with filing a form, whether incurred at the facility-level or form-level including reporter compliance determination, rule familiarization, calculations and report completion, and recordkeeping and submission.
2) Form A unit burden is set at 61.5% of Nominal Form R unit burden.
3) Burden per form does not include non-form burden (supplier notification, petitions, and non-reporter compliance determination).

Any given facility may file only Form Rs, only Form As, or a combination of Form Rs and Form As. Table 7 provides more details on the distribution of reporting by form type among facilities. Note also that for a given Form A filing, the average number of chemicals reported is 2.31. Overall, an average of 3.77 chemicals (Rs and As) are reported per facility with 11.3% of all chemicals filed via Form As.

Table 7
Form per Facility Distributions
(Current Operations RY 2009 with Updates for Additional Reporting on
16 National Toxicology Program Chemicals)

Form Per Facility Distributions - Current Operations RY 2009 Reporter Type	Unique Facilities	Count of Chemicals			Average Number of Chemicals/Facility		
		R	A	Total	R	A	Total
A Only	1,878	0	3,914	3,914	N/A	2.08	2.08
R Only	17,020	61,708	0	61,708	3.63	N/A	3.63
Both R and A	1,973	8,168	4,980	13,148	4.14	2.52	6.66
Total/Overall	20,870	69,876	8,894	78,770	3.68	2.31	3.77

Notes:
1) Calculations are based on RY 2009 raw single-chemical form counts (chemicals not rolled up at the Facility-chemical level) with updates to reflect estimated additional reporting due to the Addition of National Toxicology Program Carcinogens rule.
2) Approximately 71 percent of affected facilities filed three or fewer Form Rs in RY 2009. The most common number of reports filed is one.
3) Approximately 67 percent of affected facilities filed two or fewer Form As in RY 2009. The most common number of reports filed is one.
Source: TRI 2009 baseline dataset from EPA 9/16/2010 with updates to reflect estimated additional reporting from the Economic Analysis of the Addition of National Toxicology Program Carcinogens Rule.

Table 8 presents the annual estimated burden hours for the overall average conditions. These estimates represent the burden on a "typical" facility as defined by the facility filing the average number of chemicals (as represented by overall averages). As shown in Table 7, there are a variety of patterns for Form R and Form A Chemical filings by facility. The total annual burden to all facilities is discussed in Section 6(d).

Table 8
Form R and Form A Reporter Typical Annual Burden Hours
Based on Average Conditions per Facility in Steady State Burden Calculation

Form Type	Annual Average Facility Burden Hours
Form R (Including Form R Schedule 1) Contribution <i>[35.70516 hrs per chemical × 3.68 chemicals per facility × (.887) proportion of chemicals]</i>	116.547
Form A Contribution <i>[21.95867 hours per chemical × 2.31 chemicals per facility × (.113) proportion of chemicals]</i>	5.732
Overall Average	122.279

6(b) Estimating Respondent Costs

The steady state total cost to respondents is based on the time needed to complete the activities listed in Section 6(a) and the weighted average wage rate (WAWR) which is the average loaded cost for a mix of managerial, technical, and clerical labor (in proportions of .03, .89, and .08, respectively) per hour of TRI reporter burden.³² There are no specific capital and operation and maintenance costs associated directly with this information collection activity. There may be some small additional costs for mailing and supplies. Total annual costs for all facilities are discussed in Section 6(d).

(i) Estimating Labor Costs

Labor burden is estimated for three separate labor categories (management, technical, and clerical) across multiple activities; it is necessary to obtain wage rates for each labor category in order to estimate labor costs and compute WAWR, as shown in Table 9.

³² For the derivation and justification of the WAWR, see RBBM Reference Document (Docket #EPA-HQ-OEI-2010-0835), EPA, 2011.

Table 9
Derivation of the Weighted Average Wage Rate (WAWR)
(June 2010)

Wage Type (Burden Proportion)	Managerial (.03)	Technical (.89)	Clerical (.08)	WAWR Composite
Occupational Type	Management, business, and financial	Professional and related	Office and administrative support	WAWR \$/hr
Wages and Salaries	\$38.84	\$32.73	\$15.75	
Total benefits	\$16.85	\$13.08	\$6.81	
Overhead	\$6.60	\$5.56	\$2.68	
Total Loaded Rate	\$62.29	\$51.37	\$25.24	
WAWR Contribution	1.87	45.72	2.02	49.62
Based on June 2010 wage data. http://www.bls.gov/ncs/ect/#tables .				

Average respondent costs are summarized in Table 10 for Form R and Form A.

Table 10
Form R and Form A Reporter Typical Annual Cost Estimate
Based on Average Conditions per Facility in Steady State Burden Calculation

Form Type	Annual Average Facility Cost
Form R (Including Form R Schedule 1) Contribution <i>[(35.70516 hrs. per chemical × 3.68 chemicals per facility × .887 proportion of chemicals) × \$49.62]</i>	\$5,783.08
Form A Contribution <i>[(21.95867 hours per chemical × 2.31 chemicals per facility × .113 proportion of chemicals) × \$49.62]</i>	\$284.42
Overall Average	\$6,067.50
Notes: 1. Based on RY 2009 TRI reporting as of September 30, 2010 with updates to reflect estimated additional reporting due to the Addition of National Toxicology Program Carcinogens Rule published November 26, 2010. 2. Burden per form does not include non-form burden of supplier notification, petitions, and non-reporter compliance determination.	

Note that non-form burden is assumed to be a constant at 825,517 hours with an associated cost of \$40,962,154. The components of this burden are:

- Petitions – 925 hours
- Supplier Notification – 89,616 hours
- Non Reporters' Compliance Determination – 734,976 hours

The total cost associated with non-form burden is estimated by multiplying this constant by the WAWR (see Section 6(d) for total respondent cost associated with the TRI Program).

6(c) Estimating Agency Burden and Cost

This section estimates the burden and costs to EPA to process Form R and Form A reports based on information characterizing the resources used in previous years. EPA incurs burden and costs for three categories of activities: RFI and Compliance Assistance; TRI Reporting Software and Related Data Collection and Exchange; and Data Processing. These activities are outlined in detail in Table 11.

Table 11
EPA Activities for Collecting, Processing, and Managing TRI Data

Category	Description
Reporting Forms and Instructions (RFI) and Compliance Assistance	<ul style="list-style-type: none"> ▪ Revising the TRI Reporting Forms and Instructions (RFI) ▪ Updating the online TRI Training Modules ▪ Providing technical and regulatory support hotlines ▪ Providing online Frequently Asked Questions and Answers
TRI Reporting Software and Related Data Collection and Exchange	<ul style="list-style-type: none"> ▪ Revising the <i>TRI-MEweb</i> reporting software ▪ Pre-populating <i>TRI-MEweb</i> with facility information from the previous year ▪ Providing support for facilities to submit and certify their TRI reports using <i>TRI-MEweb</i> and the Central Data Exchange ▪ Supporting simultaneous reporting to EPA and the States for facilities that are located in states that participate in the TRI State Data Exchange ▪ Related infrastructure investments and program management for <i>TRI-MEweb</i> and the TRI State Data Exchange
Data Processing	<ul style="list-style-type: none"> ▪ Processing the submitted data ▪ Conducting data quality checks ▪ Entering data from paper forms into the TRI Processing System (TRIPS) ▪ Disseminating data files for use in TRI-related applications ▪ Related infrastructure investments and program management for TRIPS

The estimate of EPA burden specific to RFI and Compliance Assistance, TRI Reporting Software and Related Data Collection and Exchange, and Data Processing are presented in Table 12 in terms of Agency costs and number of FTEs.

Table 12
Agency Costs and FTEs to Support the Collection,
Processing, and Management of TRI Data ^a

Description	Non-FTE Cost	FTE ^b
RFI and Compliance Assistance	\$ 320,000	1.4
TRI Reporting Software and Related Data Collection/Exchange IT Infrastructure	\$ 1,279,803	2.1
Data Processing	\$ 3,030,968	2.0
Total	\$ 4,630,771	5.5
^a Based on FY 2010 budget.		
^b Based on actual headcounts.		

The estimated Data Processing costs include fixed costs (overhead) and variable costs, which depend on the number and type of form submissions. The cost of processing TRI forms is approximately \$25.75 per chemical for paper submissions and \$3.12 per chemical for *TRI-MEweb* submissions.³³ Total Agency cost for items, as shown in Table 12, is \$4,630,771.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Estimated Total Annual Burden for All Respondents

This section presents the total annual burden hours for all respondents, incorporating both form and non-form burden (see detailed bases in Section 6(a)). The total burden hours for all respondents under this ICR are estimated using the Steady State Total Burden method as depicted in Figure 1. Form R burden and Form A burden are calculated using unit burdens and single-chemical form counts; non-Form burden is a constant. These three burden components sum to compute the Steady State Total Burden. Table 13 shows the assumed universe of TRI facilities and forms for both Form Rs and Form As for this ICR Renewal.

³³ Personal communication with Peggy Bagnoli. TRI Information and Outreach Branch. July 8, 2010. The baseline data used to calculate distribution percentage of submissions is based on chemical counts from RY 2009.

Table 13
ICR Universe of TRI Facilities and Forms
(Based on RY 2009 Baseline TRI data With Updates for Additional Reporting of 16
National Toxicology Program Chemicals)

	Form R	Form A
	Number of Chemicals (Same as Number of Forms)	Number of Chemicals (Note: Average of 2.31 Chemicals per Form)
RY 2009 TRI Universe		
Number of Facilities	18,993	3,851
Number of PBT Chemicals	14,115	22
Number of Non-PBT Chemicals	55,761	8,872
Number of Total Chemicals	69,876	8,894
Notes:		
<p>1. 22 Form As were filed in 2009 for lead, likely associated with lead in stainless steel, brass or bronze alloys which are not excluded from Form A eligibility.</p> <p>2. The total unique number of facilities reporting in RY 2009 was 20,797 which is not the sum of Form R and Form A facilities above, as some facilities file on both Form Rs and Form As (see Table 7). Average number of Form R Chemicals per facility is 3.68; Average number of Form A Chemicals per form (and per facility) is 2.31. The overall average number of chemicals per facility is 3.77.</p> <p>3. To count the number of Form As, the number of Form A Chemicals has to be divided by the number of Form A Chemicals per form (2.31). Therefore, the number of Form As is estimated to be 3,851 ((8,872+22)/2.31). Note that “burden per Form A chemical” is the key unit for tracking burden associated with a Form A, and that the conversion to number of Form As (i.e, number of Form A responses) is done to satisfy certain burden accounting and reporting requirements..4. Universe includes the modeled number of chemicals and facilities estimated to report under the Addition of National Toxicology Program Carcinogens Rule published on November 26, 2010. It is estimated that under the NTP rule, 74 facilities will be added to the regulated community and an additional 186 Non-PBT chemical Form Rs will be submitted.</p>		

Table 14 presents the total annual burden hours estimates for both Form R and Form A.

Table 14
Total Annual Burden Hour Estimate

Form Type	Unit Burden Hours Per Form	Number of Responses	Number of Form R or A Chemicals	Steady State Total Burden
Form R (Including Form R Schedule 1)	35.70516	69,876	69,876	2,494,934
Form A	21.95867	3,851	8,894	195,300
Non-Form (constant)				825,517
Total				3,515,751

Estimated Total Annual Cost for All Respondents

The total annual reporting cost for all respondent facilities is determined by multiplying the WAWR by the steady state total burden. Table 15 presents the total annual reporting cost for Form R and Form A.

Table 15
Total Annual Cost Estimate
(June 2010 dollars)

Form Type	WAWR	Steady State Total Burden (Hours)	Steady State Total Cost (June \$2010)
Form R (Includes Form R Schedule 1)	\$49.62	2,494,934	\$123,798,625
Form A	\$49.62	195,300	\$9,690,786
Non-Form (constant)	\$49.62	825,517	\$40,962,154
Total		3,515,751	\$174,451,565

Note: WAWR based on June 2010 wage data, <http://www.bls.gov/ncs/ect/#tables>.

6(e) Bottom-Line Burden Hours and Cost Tables

This section presents the total burden and cost to the regulated industry to comply with the information collection requirements under EPCRA §313 and under PPA §6607, as well as the cost to EPA to process Form R and Form As annually.

(i) Respondent Tally

Table 16 presents the total burden and cost for complying with EPCRA §313 for current and new reporting requirements.

**Table 16
Total Annual Burden and Cost**

Activity	Number of Facilities (Respondents)	Number of Responses	Annual Burden Hours	Annual Costs (June 2010 dollars)
Existing Form Rs (Includes Form R Schedule 1)	18,993	69,876	2,494,934	\$123,798,625
Existing Form As	3,851	3,851	195,300	\$9,690,786
Non-Form (constant)			825,517	\$40,962,154
Subtotal	20,871^a	73,727^c	3,515,751	\$174,451,565
New Form R Data Elements and Instructions ^b	18,993	69,876	0.00	\$0.00
New Form A Data Elements and Instructions ^b	3,851	3,851	0.00	\$0.00
Grand Total				\$174,451,565
^a The total number of facilities reporting is not equal to the sum of Form R and Form A respondents as some facilities may file both Form Rs and Form As. ^b The basis for these estimates is derived from RY 2009 TRI reporting with updates to reflect the estimated impacts of the Addition of National Toxicology Program Carcinogens Rule, published November 26, 2010. ^c The average number of responses per respondents is 3.53.				

(ii) The Agency Tally

The total annual program burden to EPA is estimated to be \$4.63 million, and 5.5 FTEs. These costs reflect the burden to conduct the EPA activities described above.

(iii) Variations in the Annual Bottom Line

Significant variation in the annual respondent reporting/recordkeeping burden and cost is not expected over the course of the ICR approval period.

6(f) Reasons for Change in Burden

Several changes in the burden estimates have been approved by OMB since the OMB approvals of the ICRs on March 2, 2008. On March 20, 2009, OMB approved the merging of the ICR for TRI detailed reporting on dioxin and dioxin-like compounds (OMB 2025-007, ICR 2086.02), into the TRI Form R ICR (currently OMB Control Number 2025-0009), increasing burden by 899 hours. Then on March 27, 2009, OMB approved changes in the number of responses and the burden hours for Form R and Form A to reflect the passage of Section 425 of the Omnibus Appropriations Act of 2009, which rescinded the December 2006 Toxics Release Inventory Burden Reduction Rule. As a result, the OMB-approved numbers for Form R were increased by 140,565 hours and for Form A burden were decreased by 318,418 yielding a net increase of 458,983 hours. Most recently, on November 26, 2010, the Addition of National Toxicology Program Carcinogens Rule was published in the Federal Register. This rule is estimated to increase the number of reporting facilities by 74 and the number of Form Rs submitted by 186 with an associated burden increase of 6,641 hours.

Over the past several years, there has been a slight decrease in the number of facilities reporting to TRI. Based on the latest data for RY 2009 with updates to reflect the estimated burden due to the additional 16 chemicals associated with the Addition of National Toxicology Program Carcinogens rule, EPA now estimates the total number of combined Form R and Form A responses to be 73,727, the associated total annual burden hours to be 3,515,751, and the annual cost to be \$174,451,565. Further, the TRI program is proposing to revise data elements and instructions for the reporting forms. The revised data elements and instructions are estimated to have a negligible impact on form burden.

Since the ICR approval on March 2, 2008, the reduction in the estimate of total burden of 224,071 hours (exclusive of the additional 16 National Toxicology Program Carcinogens for which no reports have yet been received) is primarily due to the filing of approximately 10,728 fewer forms in RY 2009 than was projected in the 2008 ICR Renewal (based on RY 2005 data). Refer to Figure 2 and Table 17 for background information on the chronology of both TRI rulemakings and ICR renewals which outlines changes that have occurred due to rulemaking.

Figure 2
TRI Rulemaking and ICR Chronology

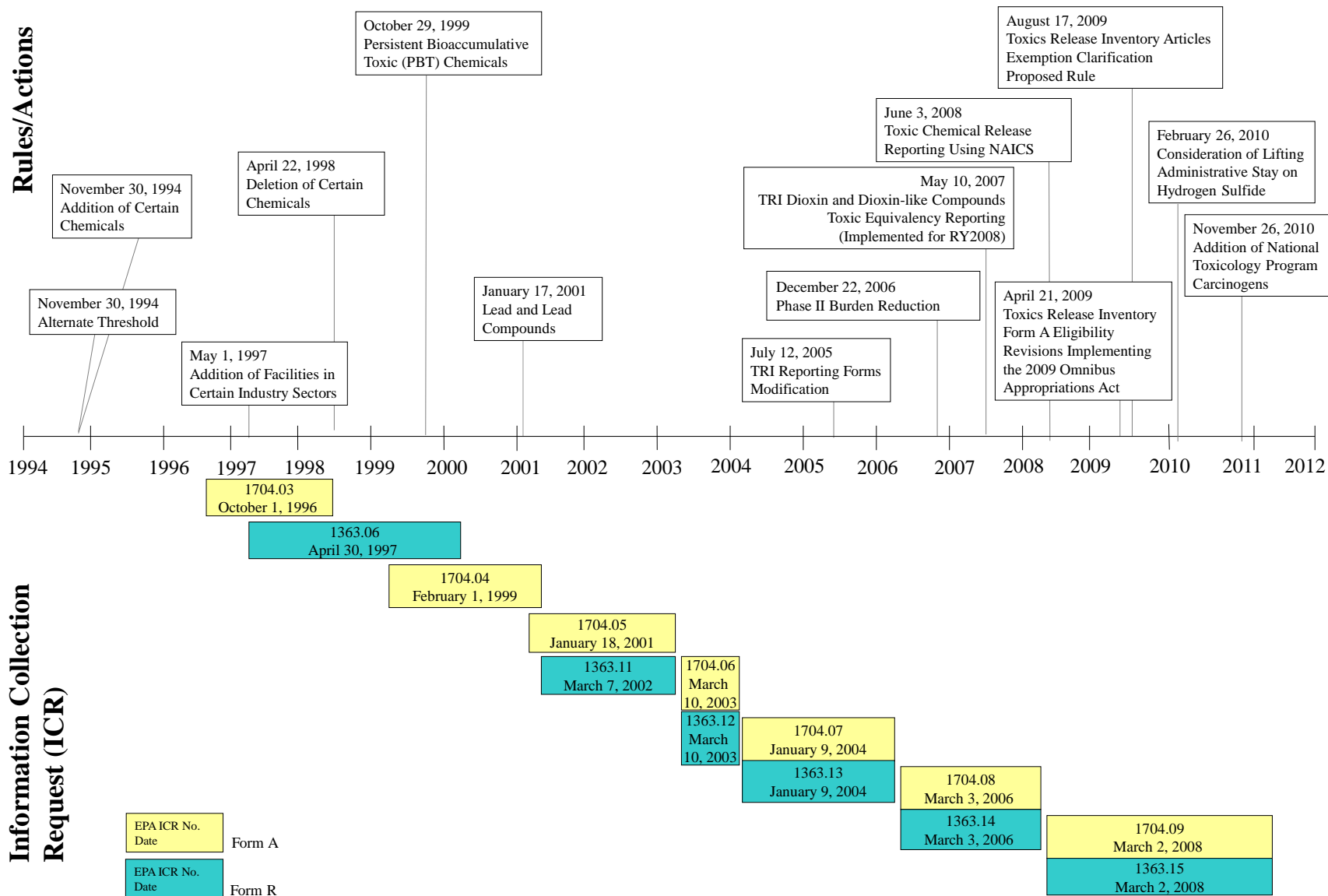


Table 17
Recent Changes in TRI Form R Burden

Activity – Explanation	TRI Form R ICR (EPA # 1363, OMB #2070-0093)			
	Change		Total	
	# Responses	Burden Hours	Total Responses	Total Burden Hours
1997 Baseline	—	—	90,362	5,538,727
RY 1997 Program Change – Industry Expansion Rule: This rule added 7 new industries to the list of industries subject to TRI reporting beginning in RY1998.	39,033	2,467,463	129,395	8,006,190
1999 Adjustment – Form R Correction Worksheet: This adjustment revised the number of responses to be more consistent with actual reporting levels. However, it did not correct for overestimation of expected reporting from the Industry Expansion Rule.	(13,226)	(665,666)	116,169	7,340,524
RY 1999 Program Change – PBT Rule: This rule lowered reporting thresholds for certain PBT Chemicals, and added other PBT Chemicals at lower thresholds beginning in RY 2000.	19,990	1,485,411	136,159	8,825,935
RY 2000 Program Change – Lead Rule: This rule lowered reporting thresholds for lead and lead compounds beginning in RY 2001.	9,813	786,169	145,972	9,612,104
January 2003 Form R ICR Renewal: This request incorporated accounting adjustments to reflect actual number of responses.	(57,855)	(4,045,540)	88,117	5,566,564
October 2003 Form R ICR Renewal: This request reflected actual number of responses and accounted for a lower subsequent year reporting burden for non-PBT Chemicals.	(4,117)	(1,677,812)	84,000	3,888,752
May 2005 Form R ICR Renewal: This request reflected actual number of responses.	(2,000)	(91,413)	82,000	3,797,339
RY 2005 Program Change – TRI Reporting Forms Modification Rule: This rule eliminated certain data elements and simplified others beginning in RY 2005.	—	(50,749)	82,000	3,746,590
RY 2006 Program Change – TRI Burden Reduction Rule: This rule expanded non-PBT Chemical eligibility for Form A and, for the first time, allowed limited use of Form A for PBT Chemicals.	(15,100)	(505,117)	66,900	3,241,473
RY 2008 New Data Elements and Revised Instructions: The proposed additions and revisions improve and enhance the data as well as standardize the information collected.	(149)	(24,193)	66,751	3,217,280
RY 2008 Form R ICR Renewal	—	—	66,751	3,217,280
RY 2010 New Data Element and Revised Instructions		0.00	69,876	2,494,934
RY 2011 Form R ICR UNIVERSE PROJECTION	3,125	(722,346)	69,876	2,494,934
Notes:				

6(g) Burden Statement (To appear on Collection Instrument)

The annual public burden for form calculations such as, rule familiarization, compliance determination, calculations and form completion, and recordkeeping, which is approved under OMB Control No. 2025-0009, is estimated to average 35.70516 hours per response for a facility filing a Form R and 21.95867 hours for a facility filing a Form A for one chemical. There is additional non-form burden associated with non-reporter compliance determination, petitions and supplier notification.

Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID No. **EPA-HQ-TRI-2010-0835**, which is available for online viewing at www.regulations.gov, or in-person viewing at the Office of Environmental Information Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Office of Environmental Information Docket is (202) 566-1752. The www.regulations.gov site can be used to submit or view public comments, access the index listing of the contents of the public docket, and access those documents in the public docket that are available electronically. When in the system, select "search," then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, D.C. 20503, Attention: Desk Officer for EPA. Please include the EPA Docket ID No. **EPA-HQ-TRI-2010-0835** and OMB Control No. 2025-0009 in any correspondence.

The completed form should be submitted in accordance with the instructions accompanying the form.

REFERENCES

Certain references cited are available in EPA Docket Identification Number EPA-HQ-TRI-2010-0835; other references are readily available.

Arbuckle, J. Gordon, et al., 1993. *Environmental Law Handbook, Twelfth Edition*. Government Institutes, Inc., Rockland MD.

U.S. Department of Labor, Bureau of Labor Statistics. *Employer Costs for Employee Compensation*. U.S. Department of Labor, Washington, D.C. June 2010.

U.S. EPA, 1986. Emergency Planning and Community Right-to-Know Act of 1986, §313 (42 U.S.C.A. §1023. <http://www.epa.gov/tri/lawsandregs/index.htm>.

U.S. EPA, 1990. Pollution Prevention Act (42 U.S.C.A. §13101-13109. U.S. EPA <http://www.epa.gov/tri/lawsandregs/index.htm>.

U.S. EPA, 2007. Analysis of the Estimated Burden and Cost of Form R Schedule 1 for Dioxin and Dioxin-like Compounds; Toxic Equivalency Reporting; Community Right to Know Toxic Chemical Release Reporting (May 10, 2007).

U.S. EPA, 2008. Procedure for Quality Policy. CIO 2106-P-0.10. October 20, 2008.

U.S. EPA, 2011. Revising TRI Burden to Ratio-Based Methodology; TRI Regulatory Development Branch, TRI Program Division, Office of Information Analysis and Access, Office of Environmental Information (February 1, 2011).

U.S. EPA. 40 CFR Part 372 Toxic Chemical Release Reporting: Community Right-to-Know. <http://www.epa.gov/tri/lawsandregs/index.htm#cfr>

Addition of National Toxicology Program Carcinogens; Community Right-to-Know Toxic Chemical Release Reporting Final Rule. 40 CFR Part 372. EPA Docket ID Number EPA-HQ-TRI-2010-0006. Federal Register Vol. 75 No. 227. November 26, 2010.

APPENDIX A
PROPOSED FORMS
FORM A
FORM R
FORM R SCHEDULE 1

 United States Environmental Protection Agency	<h1 style="margin:0;">TOXICS RELEASE INVENTORY</h1> <h2 style="margin:0;">FORM A</h2>
--	---

WHERE TO SEND COMPLETED FORMS: 1. TRI Data Processing Center P. O. Box 10163 Fairfax, VA 22038	TRI Facility ID Number _____
--	---------------------------------

This section only applies if you are revising or withdrawing a previously submitted form, otherwise leave blank.	Revision (Enter up to two code(s)) <input style="width:40px; height:20px;" type="text"/> <input style="width:40px; height:20px;" type="text"/>	Withdrawal (Enter up to two code(s)) <input style="width:40px; height:20px;" type="text"/> <input style="width:40px; height:20px;" type="text"/>
--	--	--

IMPORTANT: See instructions to determine when "Not Applicable (NA)" boxes should be checked.

PART I. FACILITY IDENTIFICATION INFORMATION

SECTION 1. REPORTING YEAR _____

SECTION 2. TRADE SECRET INFORMATION

2.1	Are you claiming the toxic chemical identified on page 2 as a trade secret? <input type="checkbox"/> Yes (Answer question 2.2; attach substantiation forms)	2.2	Is this copy <input type="checkbox"/> Sanitized <input type="checkbox"/> Unsanitized (Answer only if "Yes" in 2.1)
-----	--	-----	---

SECTION 3. CERTIFICATION (Important: Read and sign after completing all form sections.)

I hereby certify that to the best of my knowledge and belief, for each toxic chemical listed in this statement, the annual reportable amount as defined in 40 CFR 372.27(a), did not exceed 500 pounds for this reporting year and that the chemical was manufactured, processed, or otherwise used in an amount not exceeding 1 million pounds during this reporting year.

Name and official title of owner/operator or senior management official:	Signature:	Date signed:
--	------------	--------------

SECTION 4. FACILITY IDENTIFICATION

4.1	Facility or Establishment Name	TRI Facility ID Number	
	Physical Street Address	Mailing Address (if different from physical street address)	
	City/County/State/ZIP Code	City/State/ZIP Code	Country (Non-US)

4.2 This report contains information for: (Important: Check c or d if applicable) c. A Federal facility d. GOCO

4.3	Technical Contact Name	Telephone Number (include area code)
	Email Address	

4.4	Public Contact Name	Telephone Number (include area code)
	Email Address	

4.5	NAICS Code(s) (6 digits)	Primary					
		a.	b.	c.	d.	e.	f.

4.6	Dun & Bradstreet Number(s) (9 digits)	a.	
		b.	

SECTION 5. PARENT COMPANY INFORMATION

5.1	Name of U.S. Parent Company (for TRI Reporting purposes)	No U.S. Parent Company (for TRI Reporting purposes) <input type="checkbox"/>	
-----	--	--	--

5.2	Parent Company's Dun & Bradstreet Number	NA <input type="checkbox"/>	
-----	--	-----------------------------	--

EPA FORM A PART II. CHEMICAL IDENTIFICATION Do not use this form for reporting PBT chemicals, including Dioxin and Dioxin-like Compounds*	TRI Facility ID Number
---	--------------------------------

SECTION 1. TOXIC CHEMICAL IDENTITY **Report ___ of ___**

1.1	CAS Number (Important: Enter only one number exactly as it appears on the Section 313 list. Enter category code if reporting a chemical category.)
1.2	Toxic Chemical or Chemical Category Name (Important: Enter only one name exactly as it appears on the Section 313 list.)
1.3	Generic Chemical Name (Important: Complete only if Part I, Section 2.1 is checked "Yes". Generic Name must be structurally descriptive.)

SECTION 2. MIXTURE COMPONENT IDENTITY (Important: DO NOT complete this section if you completed Section 1 above)

2.1	Generic Chemical Name Provided by Supplier (Important: Maximum of 70 characters, including numbers, letters, spaces, and punctuation.)
-----	--

SECTION 1. TOXIC CHEMICAL IDENTITY **Report ___ of ___**

1.1	CAS Number (Important: Enter only one number exactly as it appears on the Section 313 list. Enter category code if reporting a chemical category.)
1.2	Toxic Chemical or Chemical Category Name (Important: Enter only one name exactly as it appears on the Section 313 list.)
1.3	Generic Chemical Name (Important: Complete only if Part I, Section 2.1 is checked "Yes". Generic Name must be structurally descriptive.)

SECTION 2. MIXTURE COMPONENT IDENTITY (Important: DO NOT complete this section if you completed Section 1 above)

2.1	Generic Chemical Name Provided by Supplier (Important: Maximum of 70 characters, including numbers, letters, spaces, and punctuation.)
-----	--

SECTION 1. TOXIC CHEMICAL IDENTITY **Report ___ of ___**

1.1	CAS Number (Important: Enter only one number exactly as it appears on the Section 313 list. Enter category code if reporting a chemical category.)
1.2	Toxic Chemical or Chemical Category Name (Important: Enter only one name exactly as it appears on the Section 313 list.)
1.3	Generic Chemical Name (Important: Complete only if Part I, Section 2.1 is checked "Yes". Generic Name must be structurally descriptive.)

SECTION 2. MIXTURE COMPONENT IDENTITY (Important: DO NOT complete this section if you completed Section 1 above)

2.1	Generic Chemical Name Provided by Supplier (Important: Maximum of 70 characters, including numbers, letters, spaces, and punctuation.)
-----	--


SECTION 1. TOXIC CHEMICAL IDENTITY **Report ___ of ___**

1.1	CAS Number (Important: Enter only one number exactly as it appears on the Section 313 list. Enter category code if reporting a chemical category.)
1.2	Toxic Chemical or Chemical Category Name (Important: Enter only one name exactly as it appears on the Section 313 list.)
1.3	Generic Chemical Name (Important: Complete only if Part I, Section 2.1 is checked "Yes". Generic Name must be structurally descriptive.)

SECTION 2. MIXTURE COMPONENT IDENTITY (Important: DO NOT complete this section if you completed Section 1 above)

2.1	Generic Chemical Name Provided by Supplier (Important: Maximum of 70 characters, including numbers, letters, spaces, and punctuation.)
-----	--

*See the TRI Reporting Forms and Instructions manual for the list of PBT Chemicals (including Dioxin and Dioxin-like Compounds)

 EPA United States Environmental Protection Agency		<h1 style="margin: 0;">FORM R</h1> Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986, also Known as Title III of the Superfund Amendments and Reauthorization Act		TRI Facility ID Number <input style="width: 100%;" type="text"/>					
				Toxic Chemical, Category, or Generic Name <input style="width: 100%;" type="text"/>					
WHERE TO SEND COMPLETED FORMS:		1. TRI Data Processing Center P. O. Box 10163 Fairfax, VA 22038		2. APPROPRIATE STATE OFFICE (See instructions in Appendix E)					
This section only applies if you are revising or withdrawing a previously submitted form, otherwise leave blank.		Revision (Enter up to two code(s)) <input style="width: 50px; height: 20px;" type="text"/> <input style="width: 50px; height: 20px;" type="text"/>		Withdrawal (Enter up to two code(s)) <input style="width: 50px; height: 20px;" type="text"/> <input style="width: 50px; height: 20px;" type="text"/>					
IMPORTANT: See instructions to determine when "Not Applicable (NA)" boxes should be checked.									
PART I. FACILITY IDENTIFICATION INFORMATION									
SECTION 1. REPORTING YEAR _____									
SECTION 2. TRADE SECRET INFORMATION									
2.1 Are you claiming the toxic chemical identified on page 2 as a trade secret? <input type="checkbox"/> Yes (Answer question 2.2; attach substantiation forms)		<input type="checkbox"/> No (Do not answer 2.2; go to Section 3)		2.2 Is this copy <input type="checkbox"/> Sanitized <input type="checkbox"/> Unsanitized (Answer only if "Yes" in 2.1)					
SECTION 3. CERTIFICATION (Important: Read and sign after completing all form sections.) I hereby certify that I have reviewed the attached documents and that, to the best of my knowledge and belief, the submitted information is true and complete and that the amounts and values in this report are accurate based on reasonable estimates using data available to the preparers of this report.									
Name and official title of owner/operator or senior management official:			Signature:		Date signed:				
SECTION 4. FACILITY IDENTIFICATION									
Facility or Establishment Name		TRI Facility ID Number							
Physical Street Address		Mailing Address (if different from physical street address)							
City/County/State/ZIP Code		City/State/ZIP Code		Country (Non-US)					
4.2 This report contains information for: (Important: Check a or b; check c or d if applicable) <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">a. <input type="checkbox"/> An entire facility</td> <td style="width: 25%;">b. <input type="checkbox"/> Part of a facility</td> <td style="width: 25%;">c. <input type="checkbox"/> A federal facility</td> <td style="width: 25%;">d. <input type="checkbox"/> GOCO</td> </tr> </table>						a. <input type="checkbox"/> An entire facility	b. <input type="checkbox"/> Part of a facility	c. <input type="checkbox"/> A federal facility	d. <input type="checkbox"/> GOCO
a. <input type="checkbox"/> An entire facility	b. <input type="checkbox"/> Part of a facility	c. <input type="checkbox"/> A federal facility	d. <input type="checkbox"/> GOCO						
4.3 Technical Contact Name		Telephone Number (include area code)							
Email Address		<input style="width: 100%;" type="text"/>							
4.4 Public Contact Name		Telephone Number (include area code)							
Email Address		<input style="width: 100%;" type="text"/>							
4.5 NAICS Code(s) (6 digits)		Primary	a.	b.	c.				
			d.	e.	f.				
4.6 Dun & Bradstreet Number(s) (9 digits)		a.							
		b.							
SECTION 5. Parent Company Information									
5.1 Name of U.S. Parent Company (for TRI Reporting purposes)		No U.S. Parent Company <input type="checkbox"/>		(for TRI Reporting purposes)					
5.2 Parent Company's Dun & Bradstreet Number		NA <input type="checkbox"/>		<input style="width: 100%;" type="text"/>					

EPA form 9350 -1 (Rev. 07/2011) – Previous editions are obsolete.

(IMPORTANT: Read instructions before completing form; type or use fill-and-print form)

<h1 style="margin: 0;">FORM R</h1> <h2 style="margin: 0;">Part II. CHEMICAL-SPECIFIC INFORMATION</h2>	TRI Facility ID Number Toxic Chemical, Category, or Generic Name
---	---

SECTION 1. TOXIC CHEMICAL IDENTITY
(Important: DO NOT complete this section if you are reporting a mixture component in Section 2 below.)

1.1	CAS Number (Important: Enter only one number exactly as it appears on the Section 313 list. Enter category code if reporting a chemical category.)
1.2	Toxic Chemical or Chemical Category Name (Important: Enter only one name exactly as it appears on the Section 313 list.)
1.3	Generic Chemical Name (Important: Complete only if Part I, Section 2.1 is checked "Yes". Generic Name must be structurally descriptive.)

SECTION 2. MIXTURE COMPONENT IDENTITY (Important: DO NOT complete this section if you completed Section 1.)

2.1	Generic Chemical Name Provided by Supplier (Important: Maximum of 70 characters, including numbers, letters, spaces, and punctuation.)
------------	--

SECTION 3. ACTIVITIES AND USES OF THE TOXIC CHEMICAL AT THE FACILITY
(Important: Check all that apply.)

3.1 Manufacture the toxic chemical: a. <input type="checkbox"/> Produce b. <input type="checkbox"/> Import If Produce or Import c. <input type="checkbox"/> For on-site use/processing d. <input type="checkbox"/> For sale/distribution e. <input type="checkbox"/> As a byproduct f. <input type="checkbox"/> As an impurity	3.2 Process the toxic chemical: a. <input type="checkbox"/> As a reactant b. <input type="checkbox"/> As a formulation component c. <input type="checkbox"/> As an article component d. <input type="checkbox"/> Repackaging e. <input type="checkbox"/> As an impurity	3.3 Otherwise use the toxic chemical: a. <input type="checkbox"/> As a chemical processing aid b. <input type="checkbox"/> As a manufacturing aid c. <input type="checkbox"/> Ancillary or other use
--	---	--

SECTION 4. MAXIMUM AMOUNT OF THE TOXIC CHEMICAL ON-SITE AT ANY TIME DURING THE CALENDAR YEAR

4.1	<input style="width: 40px; height: 20px;" type="text"/> (Enter two digit code from instruction package.)
------------	--

SECTION 5. QUANTITY OF THE TOXIC CHEMICAL ENTERING EACH ENVIRONMENTAL MEDIUM ON-SITE

			A. Total Release (pounds/year*) (Enter a range code** or estimate)	B. Basis of Estimate (Enter code)	C. Percent from Stormwater
5.1	Fugitive or non-point air emissions	NA <input type="checkbox"/>			
5.2	Stack or point air emissions	NA <input type="checkbox"/>			
5.3	Discharges to receiving streams or water bodies (Enter one name per box)	NA <input type="checkbox"/>			
Stream or Water Body Name					
5.3.1					
5.3.2					
5.3.3					

If additional pages of Part II, Section 5.3 are attached, indicate the total number of pages in this box and indicate the Part II, Section 5.3 page number in this box. (Example: 1, 2, 3, etc.)

EPA form 9350 -1 (Rev. 07/2011) – Previous editions are obsolete. *For Dioxin or Dioxin-like compounds, report in grams/year. **Range Codes: A= 1-10 pounds; B= 11-499 pounds; C= 500-999 pounds.

(IMPORTANT: Read instructions before completing form; type or use fill-and-print form)

<h1 style="margin: 0;">FORM R</h1> <h2 style="margin: 0;">Part II. CHEMICAL-SPECIFIC INFORMATION (CONTINUED)</h2>	TRI Facility ID Number Toxic Chemical, Category, or Generic Name
---	---

SECTION 5. QUANTITY OF THE TOXIC CHEMICAL ENTERING EACH ENVIRONMENTAL MEDIUM ON-SITE (continued)

		NA	A. Total Release (pounds/year*) (Enter a range code** or estimate)	B. Basis of Estimate (Enter code)
5.4.1	Underground Injection on-site to Class I Wells	<input type="checkbox"/>		
5.4.2	Underground Injection on-site to Class II-V Wells	<input type="checkbox"/>		
5.5	Disposal to land on-site	<input type="checkbox"/>		
5.5.1A	RCRA Subtitle C landfills	<input type="checkbox"/>		
5.5.1B	Other landfills	<input type="checkbox"/>		
5.5.2	Land treatment/application farming	<input type="checkbox"/>		
5.5.3A	RCRA Subtitle C surface impoundments	<input type="checkbox"/>		
5.5.3B	Other surface impoundments	<input type="checkbox"/>		
5.5.4	Other disposal	<input type="checkbox"/>		

SECTION 6. TRANSFER(S) OF THE TOXIC CHEMICAL IN WASTES TO OFF-SITE LOCATIONS

6.1 DISCHARGES TO PUBLICLY OWNED TREATMENT WORKS (POTWs) NA

6.1.B. POTW Name

POTW Address

City		County		State		ZIP	
------	--	--------	--	-------	--	-----	--

A. Quantity Transferred to this POTW (pounds/year*) (Enter range code** or estimate)	B. Basis of Estimate (Enter code)

If additional pages of Part II, Section 6.1 are attached, indicate the total number of pages in this box
and indicate the Part II, Section 6.1 page number in this box. (Example: 1, 2, 3, etc.)

6.2 TRANSFERS TO OTHER OFF-SITE LOCATIONS NA

6.2. Off-Site EPA Identification Number (RCRA ID No.)

Off-Site Location Name:

Off-Site Address:

City		County		State		ZIP		Country (non-US)	
------	--	--------	--	-------	--	-----	--	------------------	--

Is this location under control of reporting facility or parent company? Yes No

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*For Dioxin or Dioxin-like compounds, report in grams/year.
**Range Codes: A= 1-10 pounds; B= 11-499 pounds; C= 500-999 pounds.

(IMPORTANT: Read instructions before completing form; type or use fill-and-print form)

FORM R	TRI Facility ID Number
Part II. CHEMICAL-SPECIFIC INFORMATION (CONTINUED)	Toxic Chemical, Category, or Generic Name

6.2. TRANSFERS TO OTHER OFF-SITE LOCATION (CONTINUED)		
A. Total Transfer (pounds/year*) (Enter a range code** or estimate)	B. Basis of Estimate (Enter code)	C. Type of Waste Treatment/Disposal/ Recycling/Energy Recovery (Enter code)
1.	1.	1. M
2.	2.	2. M
3.	3.	3. M
4.	4.	4. M

6.2 ___ Off-Site EPA Identification Number (RCRA ID No.)

Off-Site Location Name:

Off-Site Address:

City	County	State	ZIP	Country (non-US)
------	--------	-------	-----	------------------

Is this location under control of reporting facility or parent company? Yes No

A. Total Transfer (pounds/year*) (Enter a range code** or estimate)	B. Basis of Estimate (Enter code)	C. Type of Waste Treatment/Disposal/ Recycling/Energy Recovery (Enter code)
1.	1.	1. M
2.	2.	2. M
3.	3.	3. M
4.	4.	4. M

SECTION 7A. ON-SITE WASTE TREATMENT METHODS AND EFFICIENCY

Not Applicable (NA) - Check here if no on-site waste treatment method is applied to any waste stream containing the toxic chemical or chemical category.

a. General Waste Stream (Enter code)	b. Waste Treatment Method(s) Sequence (Enter 3- or 4-character code(s))				c. Waste Treatment Efficiency (Enter 2 character code)
7A.1a	7A.1b		1		7A.1c
	3		4	2	
	6		7	5 8	
7A.2a	7A.2b		1		7A.2c
	3		4	2	
	6		7	5 8	
7A.3a	7A.3b		1		7A.3c
	3		4	2	
	6		7	5 8	
7A.4a	7A.4b		1		7A.4c
	3		4	2	
	6		7	5 8	
7A.5a	7A.5b		1		7A.5c
	3		4	2	
	6		7	5 8	

If additional pages of Part II, Section 6.2/7.A are attached, indicate the total number of pages in this box and indicate the Part II, Section 6.2/7.A page number in this box. (Example: 1, 2, 3, etc.)

<h1 style="margin: 0;">FORM R</h1> <h2 style="margin: 0;">Part II. CHEMICAL-SPECIFIC INFORMATION (CONTINUED)</h2>	TRI Facility ID Number Toxic Chemical, Category, or Generic Name
---	---

SECTION 7B. ON-SITE ENERGY RECOVERY PROCESSES

NA Check here if no on-site energy recovery is applied to any waste stream containing the toxic chemical or chemical category.

Energy Recovery Methods (Enter 3-character code(s))

1. 2. 3.

SECTION 7C. ON-SITE RECYCLING PROCESSES

NA Check here if no on-site recycling is applied to any waste stream containing the toxic chemical or chemical category.

Recycling Methods (Enter 3-character code(s))

1. 2. 3.

SECTION 8. DISPOSAL OR OTHER RELEASES, SOURCE REDUCTION, AND RECYCLING ACTIVITIES		Column A Prior Year (pounds/year*)	Column B Current Reporting Year (pounds/year*)	Column C Following Year (pounds/year*)	Column D Second Following Year (pounds/year*)
8.1					
8.1a	Total on-site disposal to Class I Underground Injection Wells, RCRA Subtitle C landfills, and other landfills				
8.1b	Total other on-site disposal or other releases				
8.1c	Total off-site disposal to Class I Underground Injection Wells, RCRA Subtitle C landfills, and other landfills				
8.1d	Total other off-site disposal or other releases				
8.2	Quantity used for energy recovery on-site				
8.3	Quantity used for energy recovery off-site				
8.4	Quantity recycled on-site				
8.5	Quantity recycled off-site				
8.6	Quantity treated on-site				
8.7	Quantity treated off-site				
8.8	Quantity released to the environment as a result of remedial actions, catastrophic events, or one-time events not associated with production processes (pounds/year*)				
8.9	Production ratio or activity index				
8.10	Did your facility engage in any newly implemented source reduction activities for this chemical during the reporting year? If so, complete the following section; if not, check NA. NA <input type="checkbox"/>				
	Source Reduction Activities (Enter code(s))	Methods to Identify Activity (Enter codes)			
8.10.1		a.	b.	c.	
8.10.2		a.	b.	c.	
8.10.3		a.	b.	c.	
8.10.4		a.	b.	c.	

EPA form 9350 -1 (Rev. 07/2011) – Previous editions are obsolete.

*For Dioxin or Dioxin-like compounds, report in grams/year.

FORM R		TRI Facility ID Number
Part II. CHEMICAL-SPECIFIC INFORMATION (CONTINUED)		Toxic Chemical, Category, or Generic Name
SECTION 8.11. DISPOSAL OR OTHER RELEASES, SOURCE REDUCTION, AND RECYCLING ACTIVITIES		
8.11	If you wish to submit additional optional information on source reduction, recycling, or pollution control activities, provide it here.	
SECTION 9. MISCELLANEOUS INFORMATION		
9.1	If you wish to submit any miscellaneous, additional, or optional information regarding your Form R submission, provide it here.	

DRAFT

(IMPORTANT: Read instructions before completing form; type or use fill-and-print form)

Form Approved OMB Number: 2025-0009

Approval Expires: 07/31/2014



United States
Environmental Protection
Agency

FORM R Schedule 1

TRI Facility ID Number

PART II. CHEMICAL-SPECIFIC INFORMATION (continued)

SECTION 5. QUANTITY OF DIOXIN AND DIOXIN-LIKE COMPOUNDS ENTERING EACH ENVIRONMENTAL MEDIUM ON-SITE

	5.1	NA	5.2	NA	5.3	Discharges to receiving streams or water bodies (Enter data for one stream or water body per box) NA <input type="text"/>		
	Fugitive or non-point air emissions		Stack or point air emissions		5.3.1	5.3.2	5.3.3	
D. Mass (grams) of each compound in the category (1-17)	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							

If additional pages of Section 5.3 are attached, indicate the total number of pages in this box

and indicate the Section 5.3 page number in this box (Example: 1, 2, 3, etc.)

FORM R Schedule 1

TRI Facility ID Number

PART II. CHEMICAL-SPECIFIC INFORMATION (continued)

SECTION 5. QUANTITY OF DIOXIN AND DIOXIN-LIKE COMPOUNDS ENTERING EACH ENVIRONMENTAL MEDIUM ON-SITE

		Underground Injection				5.5 Disposal to land on-site											
		5.4.1	NA	5.4.2	NA	5.5.1A	NA	5.5.1B	NA	5.5.2	NA	5.5.3A	NA	5.5.3B	NA	5.5.4	NA
		Underground Injection on-site to Class I Wells	Underground Injection on-site to Class II-V Wells	RCRA Subtitle C landfills	Other landfills	Land treatment/ application farming	RCRA Subtitle C surface impoundments	Other surface impoundments	Other disposal								
C. Mass (grams) of each compound in the category (1-17)	1																
	2																
	3																
	4																
	5																
	6																
	7																
	8																
	9																
	10																
	11																
	12																
	13																
	14																
	15																
	16																
	17																

TRI Facility ID Number

FORM R Schedule 1

PART II. CHEMICAL-SPECIFIC INFORMATION (continued)

SECTION 6. TRANSFERS OF DIOXIN AND DIOXIN-LIKE COMPOUNDS IN WASTES TO OFF-SITE LOCATIONS

6.1 DISCHARGES TO PUBLICLY OWNED TREATMENT WORKS (POTWs) NA

6.1.A.3 Mass (grams) of each compound in the category (1-17)

1		2		3		4		5		6		7		8		9	
10		11		12		13		14		15		16		17			

6.2 TRANSFERS TO OTHER OFF-SITE LOCATIONS NA

D. Mass (grams) of each compound in the category (1-17)

6.2. __		D. Mass (grams) of each compound in the category (1-17)															
1.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
2.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
3.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
4.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
6.2. __		D. Mass (grams) of each compound in the category (1-17)															
1.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
2.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
3.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	
4.		1		2		3		4		5		6		7		8	
9		10		11		12		13		14		15		16		17	

If additional pages of Section 6.1 or 6.2 are attached, indicate the total number of pages in this box

and indicate the Section 6.1 or 6.2 page number in this box (Example: 1, 2, 3, etc.)

FORM R Schedule 1

TRI Facility ID Number

PART II. CHEMICAL-SPECIFIC INFORMATION (continued)

SECTION 8. DISPOSAL OR OTHER RELEASES, SOURCE REDUCTION, AND RECYCLING ACTIVITIES FOR DIOXIN AND DIOXIN-LIKE COMPOUNDS (current year only)

	8.1a	8.1b	8.1c	8.1d	8.2	8.3	8.4	8.5	8.6	8.7	8.8
	Total on-site disposal to Class 1 Underground Injection Wells, RCRA Subtitle C landfills, and other landfills	Total other on-site disposal or other releases	Total off-site disposal to Class 1 Underground Injection Wells, RCRA Subtitle C landfills, and other landfills	Total other off-site disposal or other releases	Quantity used for energy recovery on-site	Quantity used for energy recovery off-site	Quantity recycled on-site	Quantity recycled off-site	Quantity treated on-site	Quantity treated off-site	Quantity released to the environment as a result of remedial actions, catastrophic events, or one-time events not associated with production processes
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											

Column f. Mass (grams) of each compound in the category (1-17)

APPENDIX B
REPORTING FORMS AND INSTRUCTIONS
ASSOCIATED WITH FORM CHANGES

Appendix B: Reporting Form R Changes and Associated Instruction Revisions

Last updated: 04/18/11

New revisions to the Form R instructions follow. These revisions are aimed at improving the user experience by clarifying the intent of questions and reducing confusion. An overview of changes made in this version of the Form R itself are listed in Table B-1 below. Revisions to the instructions are identified in the subsequent pages using underlined text for new text and strikeout for deleted text. Sections of the instructions which remain unchanged are not referenced. To review existing instructions, *Toxic Chemical Release Inventory Reporting Forms and Instructions – Revised 2009 Version*, visit <http://www.epa.gov/tri/report/index.htm>.

Revisions to Form R and Form A

Table B-1: Overview of Form R and Form A Revisions
Please refer to specific sections in the following text for details

	Form Revision	Rationale	Form
1	Replace the NA box in the Parent Company field with “No U.S. Parent Company (for TRI Reporting purposes)” check box (Part I: Sec. 5.1)	The NA box is currently used to indicate either a foreign parent company or no U.S. parent. To better facilitate analysis of the TRI data, EPA is replacing the “NA” option for parent company with a check box that reads “No U.S. Parent Company (for TRI Reporting purposes).” This change will more explicitly promote consistency in reporting the highest level U.S. company.	R/A
2	Disaggregate the “Total Transfers” field and add fields to identify chemical discharge quantities to specific publicly owned treatment works (POTWs) (Part II: Sec 6.1)	The existing form collects a single “Total Transfer” quantity for transfers to all POTWs. Providing separate fields for the transfer quantity to each POTW will facilitate analysis of the releases to specific watersheds.	R
3	Section 8 Enhancements <ul style="list-style-type: none"> ° Change instructional Statement on forms to specify only “newly implemented” source reduction activities (Part II: Sec. 8.10). ° Add an “NA” box to match associated text revisions (Part II: Sec. 8.10) ° Remove the “Yes” box and enlarge the text box for question on Pollution Prevention optional information (Part II: Sec. 8.11). 	The existing form requests information on “any source reduction activities for this chemical during the reporting year;” but the Reporting Forms and Instructions request information on only “newly implemented” source reduction activities. This change on the form will remove this difference, and specify only new activities should be reported. It also provides a larger text box (8.11) where facilities can provide optional information on source reduction, recycling, or pollution control activities.	R

4	Add a new question to capture miscellaneous and optional information regarding the submission (Part II: Sec. 9.1).	This new text box allows facilities to provide optional, miscellaneous information that may be helpful to EPA and/or the public in using or interpreting their data (e.g., facility closures, explanations for changes in release quantities, etc.).	R
5	Add NA boxes (Part II: Sec. 5.3, 6.1, 6.2)	Add NA boxes were appropriate to improve consistency within the form.	R (including R Schedule 1)

Specific Form and Instruction Revisions

PART 1 FACILITY IDENTIFICATION INFORMATION

Section 5. Parent Company Information

Form Revisions: Removed NA option for name of parent company (see also below)

Instruction Revisions: See underlined and strikethrough text which follows.

You must provide information on your parent company. For TRI Reporting purposes, your parent company is the highest level U.S. company which directly owns at least 50 percent of the voting stock of your company. If there is no higher level U.S. company, select the “No U.S. Parent Company (for TRI Reporting purposes)” check box. Similarly, if your facility is owned by a foreign entity, and there is no higher level company based in the United States above your facility, select the “No U.S. Parent Company (for TRI Reporting purposes)” check box. Corporate names should be treated as parent company names for companies with multiple facility sites. For example, the Bestchem Corporation is not owned or controlled by any other corporation but has sites throughout the country whose names begin with Bestchem. In this case, Bestchem Corporation should be listed as the parent company. Note that a facility that is a 50:50 joint venture is its own parent company. When a facility is owned by more than one company and none of the facility owners directly owns at least 50 percent of its voting stock, the facility should provide the name of the parent company of either the facility operator or the owner with the largest ownership interest in the facility. ~~If neither the operator nor this owner has a parent company, then the NA box should be checked.~~

5.1 Name of Parent Company

Form Revisions: Replaced the NA option for name of parent company with “No Parent Company (for TRI Reporting purposes).”

Instruction Revisions: See underlined and strikethrough text which follows.

Enter the name of the corporation or other business entity that is your ultimate highest level U.S. company (for TRI Reporting purposes). ~~If your facility has no parent company, you should check~~

the NA box higher level U.S. company, select the “No Parent Company (for TRI Reporting purposes)” check box.

PART II CHEMICAL-SPECIFIC INFORMATION

Section 5. Quantity of the Toxic Chemical Entering Each Environmental Medium Onsite

5.3 Discharges to Receiving Streams or Water Bodies

Form Revisions: Added NA box as a response to the question, “Discharges to receiving streams or water bodies (enter one name per box)”

Instruction Revisions: See underlined and strikeout text which follows and note addition of blank underscored spaces for inclusion of appropriate numbers which are bracketed

In Section 5.3 you are to enter all the names of the streams or water bodies to which your facility directly discharges the EPCRA Section 313 chemical on which you are reporting. A total of three spaces is provided on Page 2 of Form R. Enter the name of each receiving stream or surface water body to which the EPCRA Section 313 chemical being reported is directly discharged. Report the name of the receiving stream or water body as it appears on the NPDES permit for the facility. If the stream is not included in the NPDES permit or its name is not identified in the NPDES permit, either 1) enter the name of the off-site stream or water body by which it is publicly known or 2) if the receiving waters are unnamed, enter the first publicly named water body to which the receiving waters are a tributary. Do not list a series of streams through which the EPCRA Section 313 chemical flows. Be sure to include all the receiving streams or water bodies that receive stormwater runoff from your facility. Do not enter names of streams to which off-site treatment plants discharge. You should check the NA box in Section 5.3.[] if there are no discharges to receiving streams or water bodies of the waste stream that contains or contained the EPCRA Section 313 chemical (See discussion of NA vs. a Numeric Value (e.g., Zero) in the introduction of Section 5).

Section 6. Transfer(s) of the Toxic Chemical in Wastes to Off-Site Locations

Form Revision: Disaggregate the “Total Transfers” field and add fields to identify chemical discharge quantities to specific POTW(s)(see also below)

Instruction Revisions:

- *Title for Section 6. revised from “Transfers of the Toxic Chemical in Wastes to Off-Site Locations” to “Transfer(s) of the Toxic Chemical in Wastes to Off-Site Locations”*
- *In Sub-Sections titled “NA vs. a Numeric Value (e.g., Zero)” and “Important,” there are minor changes noted below such as changes to the section numbers followed by an underscore.*

NA vs. a Numeric Value (e.g., Zero). You must enter a numeric value if you transfer an EPCRA Section 313 chemical to a POTW or transfer wastes containing that toxic chemical to other off-site locations. If the aggregate amount transferred was less than 0.5 pound, then you should enter zero (unless the chemical is listed as a PBT chemical). Also report zero for transfers of listed mineral acids (i.e., hydrogen fluoride and nitric acid), if they have been neutralized to a pH of 6 or above prior to discharge to a POTW; do not check NA.

However, if you do not discharge wastewater containing the reported EPCRA Section 313 chemical to a POTW, you should check ~~enter~~ NA in the box in Section 6.1. If you do not ship or transfer wastes containing the reported EPCRA Section 313 chemical to other offsite locations, you should check ~~enter~~ NA in the box in Section 6.2.

Important: You must number the boxes for reporting the information for each POTW or other off-site location in Sections 6.1 and 6.2. In the upper left hand corner of each box, the section number is either 6.1.[] or 6.2.[].

If you report a transfer of the EPCRA Section 313 chemical to one or more other off-site locations, you should number the boxes in section 6.1, as 6.1.1, etc. If you transfer the EPCRA Section 313 chemical to more than ~~two~~ one POTWs, you should photocopy Page 3 of Form R as many times as necessary and then number the boxes consecutively for each POTW (e.g. 6.1.2, 6.1.3, etc.). At the bottom of Part II Section 6.1 of the Form R you will find instructions indicating each page 3 that is submitted, indicate the total number of pages numbered “3” that you are submitting as part of Form R and indicate the sequence of those pages. For example, your facility transfers the reported EPCRA Section 313 chemical in wastewaters to ~~two~~ three POTWs. You would photocopy Page 3 once, indicate at the bottom of each Page 3 that there are a total of two pages numbered “3” and then indicate the first and second Page 3. The boxes for the first ~~two~~ POTWs on the first Page 3 should be numbered 6.1.1 ~~6.1.B.1 and 6.1.B.2~~, while the box for second ~~third~~ POTW on the second Page 3 should be numbered 6.1.2. ~~6.1.B.3~~.

If you report a transfer of the EPCRA Section 313 chemical to one or more other off-site locations, you should number the boxes in section 6.2 as 6.2.1, 6.2.2, etc. If you transfer the EPCRA Section 313 chemical to more than two other off-site locations, you should photocopy Page 4 of Form R as many times as necessary and then number the boxes consecutively for each off-site location. At the bottom of Page 4 you will find instructions for indicating the total number of Page 4s that you are submitting as part of the Form R as well as indicating the sequence of those pages. For example, your facility transfers the reported EPCRA Section 313 chemical to three other off-site locations. You should photocopy page 4 once, indicate at the bottom of Section 6.2 on each Page 4 that there are a total of two Page 4s and then indicate the first and second Page 4. The boxes for the two off-site locations on the first Page 4 would be numbered 6.2.1 and 6.2.2, while the box for the third off-site location on the second Page 4 should be numbered 6.2.3. Please note section 6.2 starts on Page 3 and continues on Page 4.

6.1 Discharges to Publicly Owned Treatment Works

Form Revisions: Disaggregate the “Total Transfers” field and add fields to identify chemical discharge quantities to specific POTW(s); Also an “NA” box has been added to 6.1

“DISCHARGE(S) TO PUBLICALLY OWNED TREATMENT WORK(S) (POTWs)” In addition, the numbering under 6.1 has changed from 6.1.1 to 6.1.____.

Instruction Revisions: See underlined and strikethrough text which follows.

In Section 6.1.[] you should enter the name and address for each POTW to which your facility discharges or otherwise transfers wastewater containing the reported EPCRA Section 313 chemical. The most common transfers of this type will be conveyances of the toxic chemical in facility wastewater through underground sewage pipes; however, materials may also be trucked or transferred via some other direct methods to a POTW. In Section 6.1.[]A or Section 6.1.[]B (for columns A and B, respectively) estimate the quantity of the reported EPCRA Section 313 chemical transferred to each POTW and the basis upon which the estimate was made, respectively.

If you do not discharge wastewater containing the reported EPCRA Section 313 chemical to a POTW, enter NA in the box in Section 6.1. (See discussion of NA vs. a Numeric Value (e.g., Zero) in the introduction of Section 6).

Instruction Revisions:

- Section Titled “Total Transfers” has been renamed “Column A Quantity Transferred to This POTW”*
- See underlined and strikethrough text which follows for additional changes.*

6.1.[]A Quantity Transferred to This POTW

Enter the total amount, in pounds, of the reported EPCRA Section 313 chemical that is contained in the wastewaters transferred to each ~~all~~ POTWs. Do not enter the total poundage of the wastewaters. If the amount transferred is less than 1,000 pounds, you may report a range by entering the appropriate range code (range reporting in section 6.1.____.A. does not apply to PBT chemicals). The following reporting range codes are to be used:

Code	Reporting Range (in pounds)
A	1-10
B	11-499
C	500-999

6.1.[]B Basis of Estimate

You must identify the basis for your estimate of the total quantity of the reported EPCRA Section 313 chemical in the wastewater transferred to each POTW. You should enter one of the following letter codes that applies to the method by which the largest percentage of the estimate was derived.

- M1 Estimate is based on continuous monitoring data or measurements for the EPCRA Section 313 chemical.

- M2 Estimate is based on periodic or random monitoring data or measurements for the EPCRA Section 313 chemical.
- C Estimate is based on mass balance calculations, such as calculation of the amount of the EPCRA Section 313 chemical in streams entering and leaving process equipment.
- E1 Estimate is based on published emission factors, such as those relating release quantity to through-put or equipment type (e.g., air emission factors).
- E2 Estimate is based on-site specific emission factors, such as those relating release quantity to through-put or equipment type (e.g., air emission factors).
- O Estimate is based on other approaches such as engineering calculations (e.g., estimating volatilization using published mathematical formulas) or best engineering judgment. This would include applying an estimated removal efficiency to a waste stream, even if the composition of the stream before treatment was fully identified through monitoring data.

6.2 Transfers to Other Off-Site Locations

Form Revisions: An "NA" box has been added to 6.2

Section 8. Disposal or Other Releases, Source Reduction, and Recycling Activities

Form Revisions: Section 8 enhancements (see also below)

Form and Instruction Revisions: Title changed from "Source Reduction and Recycling Activities" to "Disposal or Other Releases, Source Reduction, and Recycling Activities"

8.10 Did Your Facility Engage in Any Source Reduction Activities (newly implemented) For this Chemical During the Reporting Year? If So, Complete the Following Section; If Not, Check NA

Form Revisions: Section 8 enhancements (see also below)

- *Question changed from "Did your facility engage in any source reduction activities for this chemical during the reporting year? If not, enter NA" in Section 8.10.1 and answer Section 8.11. to "Did your facility engage in any source reduction activities (newly implemented) for this chemical during the reporting year? If so, complete the following section; if not, check NA".*
- *An "NA" box has replaced the "Yes" and "No" boxes in 8.10.*

Instruction Revisions: See underlined and strikeout text which follows

Section 8.10 must be completed if a source reduction activity was newly implemented ~~specifically~~ (in whole or in part) at your for the reported EPCRA Section 313 chemical during the reporting year. If your facility did not implement any new source reduction activity for the reported EPCRA Section 313 chemical, ~~enter~~ check the NA box in Section 8.10. If your facility implemented new ~~any~~ source reduction activity for the reported EPCRA Section 313 chemical during the reporting year, report the activity or activities that were implemented in 8.10.1 through 8.10.4. Source reduction activity codes must be entered in the first column. See more detailed information about these codes in the reporting instructions section below titled, "Source Reduction Activities." Include activities which were newly implemented during the reporting year. An activity is considered newly implemented if it went into effect during this reporting year.

Section 8.11 If You Wish to Submit Additional Optional Information on Source Reduction, Recycling, or Pollution Control Activities, Provide it Here

Form Revisions: Section 8 enhancements

- *Removed the "Yes" box and enlarged the text box for question on Pollution Prevention optional information; question has changed from "If you wish to submit additional optional information on source reduction, recycling, or pollution control activities, check "Yes" to "If you wish to submit additional optional information on source reduction, recycling, or pollution control activities, provide it here."*

Instruction Revisions:

- *Section Heading has changed from "Is Additional Optional Information on Source Reduction, Recycling, or Pollution Control Activities Included with this Report?" to "Disposal of other releases, source reduction, and recycling activities."*
- *Text regarding mailing instructions has been removed and substituted with the following.*

Check "Yes" for this data element. If you wish to submit any additional optional information on source reduction, recycling, or pollution control activities you have implemented in the reporting year or in prior years for the reported EPCRA Section 313 chemical, you may provide a description in the box supplied on Form R. If you are using *TRI-MEweb* to submit your report, you can use the pull-down text box feature to describe your source reduction, recycling, or pollution control activities. ~~You may submit such additional information in hard copy in addition to, or instead of, the information supplied in TRI-MEweb text box feature. If you wish to submit by regular mail, please use the following address:~~

TRI Reporting Center
P.O. Box 10163
Fairfax, VA 22038

To submit hard copy information for section 8.11 by certified or overnight mail, use the following address:

CGI Federal, Inc.
e/o EPA Reporting Center
12601 Fair Lakes Circle
Fairfax, VA 22033

All information submitted in hard copy must include the name, address, and TRIFD number for the facility submitting the information.

If there is a contact person at the facility other than the technical or public contact provided in Part I, Section 4, the summary page should include that person's name and telephone number for individuals who wish to obtain further information about those activities. Also submit a copy of this additional information to the appropriate state agency as part of the Form R submittal to that agency.

While EPA welcomes submissions about recycling and pollution control activities, the Agency is most interested in collecting information about innovative and effective source reduction activities. In addition, the Agency wishes to encourage reporters to provide enough detailed information about their most effective source reduction activities to spur other facilities to adopt similar practices, as well as to inform the public about such activities being implemented in their communities.

Section 9. Miscellaneous Information

9.1 Miscellaneous, Optional, and Additional Information for your Form R Report

Form Revisions: Added new question. "If you wish to submit any miscellaneous, additional, optional information regarding your Form R submission, provide it here."

Instruction Revisions: The following instructions have been added for this new question.

Your facility may provide additional information pertaining to any portion of your Form R submissions in the box provided on the hard-copy form, or in the drop-down text box provided in *TRI-MEweb*. Your submissions to Section 9.1 regarding miscellaneous, additional, optional information may provide the Agency and/or the public with useful data that helps explain why your facility submitted data in one or more data elements that might appear unusual or inconsistent with previous TRI Form R submissions or with other data supplied by your facility during this reporting year. Such additional data may help EPA reduce the need for additional data quality control, as well as additional TRI-related enforcement and compliance efforts. Do not submit information you consider to be CBI or otherwise protected on your Form R.

APPENDIX C
INFORMATION SOURCES CONTAINING DATA SUBSETS, BUT NOT
COMPREHENSIVELY COMPARABLE ALTERNATIVES TO TRI DATA

Appendix C
Information Sources Containing Data Subsets, but not Comprehensively Comparable Alternatives to TRI Data
(TRI Included for Comparison)

Description	Chemical Coverage	Industry/Facility Coverage	Reporting Frequency	Public Access
TRI DATA				
EPCRA §313 requires facilities to submit reports on disposal and releases of particular toxic chemicals exceeding a given threshold. The reports provide information on the quantity of chemical released into the environment, to which medium (air, land, water) the chemical was disposed, as well as information about waste management and the amount of chemicals stored on-site.	TRI contains information on releases, transfers, and pollution prevention activities for 593 individually listed chemicals and 30 chemical categories—totaling to 682 toxic chemicals. Of these chemicals, 183 are classified as hazardous air pollutants (HAPs).	NAICS codes corresponding to SIC codes 20-39, as well as 10; 12; 4911, 4931, and 4939; 4953; 5169; 5171; and 7389. A facility need only report if it has 10 more Full Time Equivalent(FTEs)	Annual	EPA compiles the TRI data and makes them available through several data access tools, including the TRI Explorer and Envirofacts. Other organizations also make the data available to the public through their own data access tools.
AIR EMISSIONS (SECTIONS 5.1 AND 5.2)				
National Emissions Inventory (NEI)				
NEI provides estimates of man-made pollutant emissions from stationary sources, as well as area sources and mobile sources. These estimates, submitted to EPA by delegated authorities (state or county), electric utilities, and/or generated by EPA from various sources, differ in the	6 CAPs and 189 HAPs	No NAICS limitations	Triennial	MS Access database files can be downloaded from EPA's Web site.

Description	Chemical Coverage	Industry/Facility Coverage	Reporting Frequency	Public Access
methodology used.				
Air Facility System (AFS)				
AFS contains compliance and permit data for stationary sources of air pollution regulated by U.S. EPA, and state and local air pollution agencies.	N/A	No NAICS limitations	Annual	Can be accessed through EPA data access tools, Envirofacts or the Enforcement and Compliance History Online (ECHO) database, on a facility-by-facility basis.
State Air Emissions Inventories				
Several states and regional agencies maintain their own air emissions inventories. However, the amount of data as well as the types of data elements collected vary widely from state to state.	Varies widely (e.g., the California Air Resources Board maintains its own list of approx. 400 toxic air pollutants)	Varies, but states often develop their own toxics inventories due to their specific needs.	Varies	Most of these data are submitted to NEI, and some are available on the Web on a state-by-state basis.
Title V Part 70 Operating Permits				
Under the 1990 Clean Air Act Amendments, facilities designated as "major sources" and facilities otherwise subject to §112 and Title V must apply for a Title V Part 70 Operating Permit. As part of the application for a Title V permit, some facilities may have to report emissions of air toxics.	189 HAPs	No NAICS limitations	At the time of permit application, renewal, and modification—permits are typically renewed every 5 years	No central repository for the information.
DIRECT DISCHARGES TO WATER (SECTION 5.3)				
Permit Compliance System (PCS)				
PCS is a national information management system that tracks implementation of the National Pollutant Discharge Elimination System (NPDES) program, authorized by the Clean Water Act. PCS tracks permit issuance, permit limits, self-monitoring data, compliance data and other data pertaining to facilities regulated under NPDES. PCS has	Monitoring data for major dischargers includes only chemicals for which a monitoring requirement has been set in the permit—a facility's	No NAICS limitations	Major permittees must submit Discharge Monitoring Reports (DMRs) monthly or quarterly; non-major permittees	Can be accessed through EPA data access tools, Envirofacts, ECHO, or the Integrated Compliance Information System ICIS-NDPES, on a facility-by-facility basis.

Description	Chemical Coverage	Industry/Facility Coverage	Reporting Frequency	Public Access
been modernized to the Integrated Compliance Information System (ICIS) as ICIS-NPDES.	record may not include all pollutants actually discharged		must submit at least annually	
UNDERGROUND INJECTION AND LAND DISPOSAL ON-SITE (SECTIONS 5.4 AND 5.5)				
RCRA Biennial Reports				
Section 3002(a)(6) of the Resource Conservation and Recovery Act (RCRA) requires EPA to develop a program for hazardous waste generators to report the nature, quantities, and disposition of hazardous waste generated at least once every two years. In addition, section 3004(a)(2) of RCRA requires treatment, storage and disposal facilities (TSDFs) to submit a report on the wastes that they receive from off-site. The biennial Hazardous Waste Report (also known as the “Biennial Report”) was implemented in 1985 to comply with these requirements. The Biennial Report form (8700-13A/B) must be submitted to the authorized state agency or the EPA Regional Office by March 1st of every even-numbered year. The form includes information such as the facility's RCRA ID number, the name and address of the facility, the quantity of hazardous waste sent to each TSDF in the United States and the manner in which the waste was treated during the previous year.	Biennial Reports contain data on hazardous wastes as defined by RCRA and reported by waste codes – not all of which map directly to a single, unique chemical.	No NAICS limitations; however, certain waste categories are excluded (e.g., mining and agriculture)	Biennial	Can be accessed through EPA data access tools, Envirofacts, or RCRAInfo, on a facility-by-facility basis.
DISCHARGES TO A POTW (SECTION 6.1)				

Description	Chemical Coverage	Industry/Facility Coverage	Reporting Frequency	Public Access
RCRA Biennial Reports (BR)				
Biennial Reports require some reporting of discharges to POTWs. (See above for more details.)	See above	See above	See above	See above
Permit Compliance System (PCS)				
PCS allows for reporting of indirect discharges to water. (See above for more details.)	See above	See above	See above	See above
TRANSFERS TO OTHER OFF-SITE LOCATIONS (SECTION 6.2)				
RCRA Biennial Reports (BR)				
Biennial Reports contain hazardous waste data from large quantity generators and TSDFs. Biennial Reports also require reporting of off-site transfers on Form GM. Information includes the RCFA ID of the facility to which the waste was shipped, the processes used to treat, recycle, or dispose of the waste at the off-site facility, the off-site availability code, and the total quantity of waste shipped during the report year. The reports also provide data on the volume of hazardous waste shipped off-site for land disposal, a release end-point of relevance to TRI. (See above for more details.)	See above	See above	See above	See above
CHEMICAL STORAGE AND INVENTORY DATA (SECTION 4.1)				
EPCRA §312 Tier I and II Reports				
EPCRA §312 requires that states establish plans for local chemical emergency preparedness and that inventory information on hazardous chemicals be reported by facilities to state and local authorities.	Hazardous or extremely hazardous substances (essentially any substance that poses a health or physical	No NAICS exemptions for facilities that are covered under the reporting threshold requirements, but facilities not included under OSHA's Hazard	Annual	On a facility-by-facility basis, by forwarding a written request.

Description	Chemical Coverage	Industry/Facility Coverage	Reporting Frequency	Public Access
	hazard)	Communication Standard (e.g., mines) do not have to file		
Risk Management Plan (RMP)				
Under the authority of section 112(r) of the Clean Air Act, the Chemical Accident Prevention Provisions require facilities that produce, handle, process, distribute, or store certain chemicals to develop a Risk Management Program, prepare a Risk Management Plan (RMP), and submit the RMP to EPA. Covered facilities were initially required to comply with the rule in 1999, and the rule has been amended on several occasions since then, most recently in 2004. These plans include information about chemical amounts stored or processed at RMP facilities.	Certain flammable and toxic substances	No NAICS limitations	At least every five years, or within six months of an incident	Restricted access: RMP information may be accessed via the Federal Reading Rooms
POLLUTION PREVENTION DATA (SECTIONS 8.1-8.7)				
RCRA Biennial Reports (BR)				
Biennial Reports contain pollution prevention information on hazardous waste from large quantity generators and TSDFs. Data are collected primarily by states, and are collated by EPA. (See above for more details.)	See above	See above	See above	See above
State Environmental Agency Databases				
At least two states, New Jersey and Massachusetts, have passed laws to collect pollution prevention data on materials accounting that exceed that found in Section 8 of Form R. Several other states may also require certain TRI filers (based on chemical		Include more industries than TRI	Annual	At this time, there is no central source for state collected pollution prevention data. Individual states may make plans available to the public.

Description	Chemical Coverage	Industry/Facility Coverage	Reporting Frequency	Public Access
thresholds and industry sector) to submit annual P2 plans with their TRI reports.				
EMERGENCY RELEASE DATA (SECTION 8.8)				
National Response Center (NRC)				
NRC collects real-time information about virtually all oil and chemical spills throughout the United States to identify spills for which to coordinate emergency response.	Oils and chemicals	No source exemptions	Real-time	Historical information about spills can be retrieved through the NRC online query system: Http://www.nrc.uscg.mil/foia.html .
STATE RIGHT-TO-KNOW PROGRAMS				
Several states require expanded state TRI reporting to include industries/facilities not covered by TRI or to report release information beyond that required by the federal TRI Program (e.g., Arizona, Massachusetts, Minnesota, and Wisconsin).	Varies by state, but often identical to TRI	Varies, but may include more industries than TRI	Annual	No central repository for the information. Accessibility varies by state.

Appendix C References:

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APPENDIX D
TRI CONSULTATION MEETINGS

Appendix D: TRI Consultation Meetings

TRI National Training Conference March 2009

Attendees Included:

Kentucky Department of Environmental Protection
Kansas Department of Health & Environment
North Carolina Crime Control and Public Safety
Maine Emergency Management Agency
New Mexico Department of Homeland Security and Emergency Management
Commission for Environmental Cooperation
National Library of Medicine
Small Business Administration (SBA)
Chevron
Lockheed Martin
Potomac-Hudson Engineering, Inc.
IW Financial
Grassroots Connection
U.S. DOE
University of Colorado – Denver
OMB Watch

December 10, 2009 Stakeholder Briefing on 2008 TRI National Analysis

Attendees:

OMB Watch
American Iron & Steel Institute
ACCI
IPC
National Mining Association
American Petroleum Institute
SBA

February 16, 2010 Industry Perspectives on Improving the TRI Database

Attendees:

Nucor Corp
SSAB

United States Steel Corporation
American Iron & Steel Institute
Heritage Environmental
SBA

March 23, 2010
Metal Mining Rulemaking – Stakeholder Meeting

Attendees Included:

Earthworks
Pew Environmental Group
OMB Watch

June 23, 2010
Conference Call on TRI, Metal Mining, and Environmental Justice
Participants Included:

OMB Watch
Western Organization of Resource Councils
Earthworks
Great Basin Resource Watch

October 2009, June 2010
Online Metal Mining Stakeholder Discussion Forum
Commenters Included:

OMB Watch
Idaho Conservation League
Texas A&M University
Southeast Alaska Conservation Council
Earthworks
Center for Science in Public Participation
Rock Creek Alliance

APPENDIX E
FACILITIES REQUIRED TO REPORT TO TRI (NAICS)

Table E-1
Facilities Required to Report to TRI (NAICS)
(Corresponding to SIC codes 20 through 39)

Subsector or Industry Code	Exceptions and/or Limitations
113310	
221330	Limited to facilities engaged in providing combinations of electric, gas, and other services not classified elsewhere (NEC) (previously classified under SIC 4939, Combination Utility Services Not Elsewhere Classified);
311	<p>Except 311119 - Exception is limited to facilities primarily engaged in Custom Grain Grinding for Animal Feed (previously classified under SIC 0723, Crop Preparation Services for Market, Except Cotton Ginning);</p> <p>Except 311330 - Exception is limited to facilities primarily engaged in the retail sale of candy, nuts, popcorn and other confections not for immediate consumption made on the premises (previously classified under SIC 5441, Candy, Nut, and Confectionery Stores);</p> <p>Except 311340 - Exception is limited to facilities primarily engaged in the retail sale of candy, nuts, popcorn and other confections not for immediate consumption made on the premises (previously classified under SIC 5441, Candy, Nut, and Confectionery Stores);</p> <p>Except 311811 - Retail Bakeries (previously classified under SIC 5461, Retail Bakeries);</p> <p>Except 311611 - Exception is limited to facilities primarily engaged in Custom Slaughtering for individuals (previously classified under SIC 0751, Livestock Services, Except Veterinary, Slaughtering, custom: for individuals);</p> <p>Except 311612 - Exception is limited to facilities primarily engaged in the cutting up and resale of purchased fresh carcasses for the trade (including boxed beef) (previously classified under SIC 5147, Meats and Meat Products);</p>
312	<p>Except 312112 - Exception is limited to facilities primarily engaged in bottling mineral or spirit water (previously classified under SIC 5149, Groceries and Related Products, NEC);</p> <p>Except 312229 - Exception is limited to facilities primarily engaged in providing Tobacco Sheeting Services (previously classified under SIC 7389, Business Services, NEC);</p>
313	<p>Except 313311 - Exception is limited to facilities primarily engaged in converting broad woven piece goods and broad woven textiles (previously classified under SIC 5131, Piece Goods Notions, and Other Dry Goods, broad woven and non-broad woven piece good converters), and facilities primarily engaged in sponging fabric for tailors and dressmakers (previously classified under SIC 7389, Business Services, NEC (Sponging fabric for tailors and dressmakers));</p> <p>Except 313312 - Exception is limited to facilities primarily engaged in converting narrow woven textiles, and narrow woven piece goods (previously classified under SIC 5131, Piece Goods Notions, and Other Dry Goods, converters, except broad woven fabric);</p>
314	<p>Except 314121 - Exception is limited to facilities primarily engaged in making custom drapery for retail sale (previously classified under SIC 5714, Drapery, Curtain, and Upholstery Stores);</p> <p>Except 314129 - Exception is limited to facilities primarily engaged in making custom slipcovers for retail sale (previously classified under SIC 5714, Drapery, Curtain, and Upholstery Stores);</p> <p>Except 314999 - Exception is limited to facilities primarily engaged in binding carpets and rugs for the trade, carpet cutting and binding, and embroidering on textile products (except apparel) for the trade (previously classified under SIC 7389, Business Services Not Elsewhere Classified, Embroidering of advertising on shirts and Rug binding for the trade);</p>
315	<p>Except 315222 - Exception is limited to custom tailors primarily engaged in making and selling men's and boys' suits, cut and sewn from purchased fabric (previously classified under SIC 5699, Miscellaneous Apparel and Accessory Stores (custom tailors));</p> <p>Except 315223 - Exception is limited to custom tailors primarily engaged in making and selling men's and boys' dress shirts, cut and sewn from purchased fabric (previously classified under SIC 5699, Miscellaneous Apparel and Accessory Stores (custom tailors));</p> <p>Except 315233 - Exception is limited to custom tailors primarily engaged in making and selling bridal dresses or gowns, or women's, misses' and girls' dresses cut and sewn from purchased fabric (except apparel contractors) (custom dressmakers) (previously classified under SIC Code 5699, Miscellaneous Apparel and Accessory Stores);</p>
316	
321	

322	
323	Except 323114 - Exception is limited to facilities primarily engaged in reproducing text, drawings, plans, maps, or other copy, by blueprinting, photocopying, mimeographing, or other methods of duplication other than printing or microfilming (i.e., instant printing) (previously classified under SIC 7334, Photocopying and Duplicating Services (instant printing));
324	
325	Except 325998 - Exception is limited to facilities primarily engaged in aerosol can filling on a job order or contract basis (previously classified under SIC 7389, Business Services, NEC (aerosol packaging));
326	Except 326212 - Tire Retreading (previously classified under SIC 7534, Tire Retreading and Repair Shops (rebuilding));
327	Except 327112 - Exception is limited to facilities primarily engaged in manufacturing and selling pottery on site (previously classified under SIC 5719, Miscellaneous Homefurnishing Stores);
331	
332	
333	
334	Except 334611 - Exception is limited to software reproducing (previously classified under SIC 7372, Prepackaged Software, (reproduction of software)); Except 334612 - Exception is limited to facilities primarily engaged in mass reproducing pre-recorded Video cassettes, and mass reproducing Video tape or disk (previously classified under SIC 7819, Services Allied to Motion Picture Production (reproduction of Video));
335	Except 335312 - Exception is limited to facilities primarily engaged in armature rewinding on a factory basis (previously classified under SIC 7694 (Armature Rewinding Shops (remanufacturing)));
336	
337	Except 337110 - Exception is limited to facilities primarily engaged in the retail sale of household furniture and facilities that manufacture custom wood kitchen cabinets and counter tops (previously classified under SIC 5712, Furniture Stores (custom wood cabinets)); Except 337121 - Exception is limited to facilities primarily engaged in the retail sale of household furniture and facilities that manufacture custom made upholstered household furniture (previously classified under SIC 5712, Furniture Stores (upholstered, custom made furniture)); Except 337122 - Exception is limited to facilities primarily engaged in the retail sale of household furniture and facilities that manufacture nonupholstered, household type, custom wood furniture (previously classified under SIC 5712, Furniture Stores (custom made wood nonupholstered household furniture except cabinets));
339	Except 339113 – Exception is limited to facilities primarily engaged in manufacturing orthopedic devices to prescription in a retail environment (previously classified under SIC 5999 Miscellaneous retail stores, NEC); Except 339115 - Exception is limited to lens grinding facilities that are primarily engaged in the retail sale of eyeglasses and contact lenses to prescription for individuals (previously classified under SIC 5995, Optical Goods Stores (optical laboratories grinding of lenses to prescription)); Except 339116 - Dental Laboratories (previously classified under SIC 8072, Dental Laboratories);
111998	Limited to facilities primarily engaged in reducing maple sap to maple syrup (previously classified under SIC 2099, Food Preparations, NEC, Reducing Maple Sap to Maple Syrup);
211112	Limited to facilities that recover sulfur from natural gas (previously classified under SIC 2819, Industrial Inorganic Chemicals, NEC (recovering sulfur from natural gas));
212324	Limited to facilities operating without a mine or quarry and that are primarily engaged in beneficiating kaolin and clay (previously classified under SIC 3295, Minerals and Earths, Ground or Otherwise Treated (grinding, washing, separating, etc. of minerals in SIC 1455));
212325	Limited to facilities operating without a mine or quarry and that are primarily engaged in beneficiating clay and ceramic and refractory minerals (previously classified under SIC 3295, Minerals and Earths, Ground or Otherwise Treated (grinding, washing, separating, etc. of minerals in SIC 1459));
212393	Limited to facilities operating without a mine or quarry and that are primarily engaged in beneficiating chemical or fertilizer mineral raw materials (previously classified under SIC 3295, Minerals and Earths, Ground or Otherwise Treated (grinding, washing, separating, etc. of minerals in SIC 1479));
212399	Limited to facilities operating without a mine or quarry and that are primarily engaged in beneficiating nonmetallic minerals (previously classified under SIC 3295, Minerals and Earths, Ground or Otherwise Treated (grinding, washing, separating, etc. of minerals in SIC 1499));
488390	Limited to facilities that are primarily engaged in providing routine repair and maintenance of ships and boats from floating drydocks (previously classified under SIC 3731, Shipbuilding and Repairing (floating drydocks not associated

	with a shipyard));
511110	
511120	
511130	
511140	Except facilities that are primarily engaged in furnishing services for direct mail advertising including address list compilers, address list publishers, address list publishers and printing combined, address list publishing, business directory publishers, catalog of collections publishers, catalog of collections publishers and printing combined, mailing list compilers, directory compilers, and mailing list compiling services (previously classified under SIC 7331, Direct Mail Advertising Services (mailing list compilers));
511191	
511199	
512220	
512230	Except facilities primarily engaged in music copyright authorizing use, music copyright buying and licensing, and music publishers working on their own account (previously classified under SIC 8999, Services, NEC (music publishing));
519130	Limited to facilities primarily engaged in Internet newspaper publishing (previously classified under SIC 2711, Newspapers: Publishing, or Publishing and Printing), Internet periodical publishing (previously classified under SIC 2721, Periodicals: Publishing, or Publishing and Printing), Internet book publishing (previously classified under SIC 2731, Books: Publishing, or Publishing and Printing), miscellaneous Internet publishing (previously classified under SIC 2741, Miscellaneous Publishing), Internet greeting card publishers (previously classified under SIC 2771, Greeting Cards);
541712	Limited to facilities that are primarily engaged in guided missile and space vehicle engine research and development (previously classified under SIC 3764, Guided Missile and Space Vehicle Propulsion Units and Propulsion Unit Parts), and in guided missile and space vehicle parts (except engines) research and development (previously classified under SIC 3769, Guided Missile and Space Vehicle Parts and Auxiliary Equipment, Not Elsewhere Classified);
811490	Limited to facilities that are primarily engaged in repairing and servicing pleasure and sail boats without retailing new boats (previously classified under SIC 3732, Boat Building and Repairing (pleasure boat building));

Table E-2
Facilities Required to Report to TRI (NAICS)
(Corresponding to SIC codes other than SIC codes 20 through 39)

Subsector or Industry Code	Exceptions and/or Limitations
212111	
212112	
212113	
212221	
212222	
212231	
212234	
212299	
221111	Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce.
221112	Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce.
221113	Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce.
221119	Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce.
221121	Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce.
221122	Limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce.
424690	
424710	
425110	Limited to facilities previously classified in SIC 5169, Chemicals and Allied Products, Not Elsewhere Classified.
425120	Limited to facilities previously classified in SIC 5169, Chemicals and Allied Products, Not Elsewhere Classified.
562112	Limited to facilities primarily engaged in solvent recovery services on a contract or fee basis (previously classified under SIC 7389, Business Services, NEC);

562211	Limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 <i>et seq.</i>
562212	Limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 <i>et seq.</i>
562213	Limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 <i>et seq.</i>
562219	Limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 <i>et seq.</i>
562920	Limited to facilities regulated under the Resource Conservation and Recovery Act, subtitle C, 42 U.S.C. 6921 <i>et seq.</i>