



## Enviroscope

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# TRI Reporting Threshold Lowered For Lead & Lead Compounds

The U.S. Environmental Protection Agency's (EPA) final rule that lowered the TRI reporting threshold for lead and lead compounds to 100 pounds a year was effective on April 17, 2001. The final rule was published on January 17, 2001, but the effective date was delayed until the Bush Administration could review the rule. Although industry groups claim that this action is a political gesture to mollify environmental groups for recent actions taken by the Bush Administration on other environmental issues, EPA Administrator Christine Todd Whitman said at the announcement that the Agency expects "This new reporting requirement will result in real decreases" in lead emissions.

### Rule Requires Reporting For the Entire Calendar Year

Even though the effective date for this new rule is April 17, 2001, it requires TRI reporting of lead and lead compounds for the entire calendar year 2001. This means that facilities would have to calculate the amount of lead and lead compounds they manufacture (as defined by EPA), process, or otherwise use to determine whether they trigger the 100-pound threshold starting January 1, 2001. The new reporting threshold applies to the manufacture (including coincidental manufacture), process, or otherwise use of lead and lead compounds. Given the relatively low reporting thresholds, if your facility is performing any of the following metal finishing operations (as well as others), you may now be subject to TRI reporting requirements for lead and lead compounds:

- Hard chrome plating (slow dissolution of anode)
- Decorative chrome plating (slow dissolution of anode)
- Tin-lead soldering (from effluent)
- Electrolytic pickling (slow dissolution of anode)
- Zinc plating (lead impurities in zinc anode)
- Leaded steel and leaded brass (dissolution of parts)
- Burnishing of zinc die casting (from parts)
- Polishing operations (from parts)

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**Facilities will be required to report any releases of lead and lead compounds, if they manufacture, process, or otherwise use more than 100 pounds of lead or lead compounds in a calendar year.**

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The lowering of the lead TRI reporting threshold for lead and lead compounds has been sharply criticized by industry groups and the U.S. House of Representatives Science Committee, who have argued that EPA's justification for the rule is inaccurate, that it will impose an undue financial burden on business (particularly small business), and that the Agency did not follow appropriate process in devel-

oping the rule. A coalition of metal industry groups filed a lawsuit challenging the final rule as unwarranted. In addition, EPA's Science Advisory Board (SAB) will conduct a comprehensive review of the rule's scientific basis, including the application of the persistent, bioaccumulative and toxic (PBT) criteria to metals. If the SAB finds serious flaws in the Agency's scientific basis, it could impact the implementation of the new lead TRI reporting threshold and EPA's PBT Initiative.

Unless, and until, the effective date of the final rule is stayed or overturned by a court, facilities will be required to report any releases of lead and lead compounds, if they manufacture, process, or otherwise use more than 100 pounds of lead or lead compounds in a calendar year. These new reporting requirements will be applicable to the Form R Reports to be submitted in July 2002. *P&SF*

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