

Assembly Joint Resolution No. 20—Committee on

Natural Resources, Agriculture, and Mining

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging the United States Environmental Protection Agency to reconsider its recent regulatory expansion of the Toxics Release Inventory.

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

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

WHEREAS, The United States Environmental Protection Agency has expanded the Inventory report to include the mining industry and other nonmanufacturing industrial sectors; and

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

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

WHEREAS, The members of the Nevada Legislature acknowledge the value of the Emergency Planning and Community Right-To-Know Act and its success in encouraging large manufacturers to implement cleaner processing programs with fewer toxic chemicals; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the members of the 70th session of the Nevada Legislature hereby urge the United States Environmental Protection Agency to remove the mining industry from the reporting requirements of the Toxics Release Inventory that were originally intended for use by large manufacturers; and be it further

RESOLVED, That if the United States Environmental Protection Agency does not remove the mining industry from the reporting requirements of the Toxic Release Inventory, the Nevada Legislature strongly urges the Agency to develop a separate form of reporting requirements that have a direct application to the processing of minerals and exclude naturally occurring elements from the reporting requirements of the mining industry; and be it further

RESOLVED, That the Nevada Legislature urges the United States Environmental Protection Agency to acknowledge in accurate perspective the fact that while mining activities do involve the handling of a large volume of material, a portion of which does contain reportable chemicals, the actual risk of public exposure is low; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Administrator of the United States Environmental Protection Agency and to each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

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