



May 2, 2005

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Environmental Protection Agency
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Attn: Docket ID No. TRI-2002-0001

The Coalition for Responsible Waste Incineration (CRWI) appreciates the opportunity to submit comments on EPA's proposed modifications to the reporting requirements for dioxin and dioxin-like compounds, more formally entitled Dioxin and Dioxin-Like Compounds; Toxic Equivalency Reporting; Community Right-To-Know Toxic Chemical Release Reporting, 70 Fed. Reg. 10919 (March 7, 2005). CRWI is a trade association comprised of 26 members with interests in hazardous waste combustion. CRWI's members operate incinerators, boilers, process heaters, hydrochloric acid production furnaces, and cement kilns. We appreciate the effort EPA has put into publishing this proposal and look forward to working with the Agency to develop an effective rule that is consistent with the requirements of the Emergency Planning and Community Right-to-Know Act and good engineering practices.

CRWI supports the concept of the public's right-to-know and the reporting of releases to the environment of certain chemicals. CRWI also supports the development of databases that represent an accurate assessment of the environmental hazards from chemical emissions. CRWI believes that this proposed change to the reporting of dioxin and dioxin-like compounds is a step in the right direction. Current scientific understanding is that different dioxin congeners pose different health hazards. This is the basis for the estimation and use of toxicity equivalent factors (TEF). For example, the release to the environment of 1 gram of octachlorodibenzo-p-dioxin does not have the same impacts as does a release of 1 gram of 2,3,7,8-tetrachlorodibenzo-p-dioxin. Thus, reporting the mass of



total dioxin released is not very helpful in determining the actual impact to the environment. CRWI believes that it is not only important to report the actual emissions of the 17 dioxin and dioxin-like compounds (where possible), but that EPA should make a strong effort to educate the public on the meaning of these emissions. Based on these ideas, CRWI believes that the only proper way to represent emissions of dioxins and dioxin-like compounds is to use the TEF to convert mass emissions into toxicity equivalents (TEQ).

CRWI also realizes that the TEF values are reevaluated on a periodic basis. The last assessment of these factors was in 1997 by a panel commissioned by the World Health Organization. While there is no set timetable for evaluating these factors, it is routinely done every five years. Currently, the World Health Organization has just closed a request for proposals for a project to re-evaluation the methods of deriving human and mammalian toxic equivalency factors of dioxins and dioxin-like compounds. Thus, the TEF values should be expected to change over time.

In the proposed rule, EPA considers three methods for gathering information on emissions of dioxin and dioxin-like compounds. The first method would require a facility to report the total mass emissions and the TEQ for those mass emissions. As pointed out by the Agency, the flaw in this method is that if the TEF values change, it would be impossible to use the existing database to re-calculate historical TEQ values. If the TEF values change on a periodic basis (i.e., every five years), it would be impossible to determine if a change of total dioxin and dioxin-like compounds emitted over time is due to actual changes in emissions or due to a change in the method of calculation TEQs. CRWI does not believe this is a good option.

Thus, CRWI believes that it makes sense to have sufficient data to recalculate TEQ totals should there be a change in the toxic equivalency factors. Either options 2 or 3 would allow this. We believe that the major determining factor between these options is whether EPA has the legal authority to alter facility reported TEQ values should the TEF values change. If EPA determines that they do not have the authority, then option 3 is the only choice that will allow the Agency to re-calculate the TEQ values. Should the Agency choose option 3, they need to incorporate a mechanism into the reporting method to ensure that the facility has way to verify that the proper numbers were entered and the calculations were performed correctly. This should not be difficult to add to the reporting scheme. If the Agency determines that they have the legal authority to modify past TEQ values based on changes in the TEF, then the Agency must develop a method of date-stamping the original TEQ and explaining how and why the TEQ values change. One could even argue that the original TEQ values



must stay in the TRI database as entered (using either option) and that recalculations can only be used when developing historical trends.

CRWI would like to re-emphasize that which ever option EPA chooses, the most relevant way to report emissions of dioxin and dioxin-like compounds is the total TEQ for the facility. In addition, EPA must clearly explain what these data mean and the methods used to calculate these data.

Should EPA choose to finalize the reporting as outlined in Option 2 or 3, CRWI sees no need for section 1.4 of Form R and agrees that the Agency should eliminate it.

Thank you for the opportunity to comment on these proposed changes to the reporting requirements for dioxin and dioxin-like compounds. If you have additional questions, please contact us (crwi@erols.com or 202-452-1241).

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Melvin E. Keener', with a long horizontal flourish extending to the right.

Melvin E. Keener, Ph.D.
Executive Director

cc: Daniel Bushman