

SENATE JOINT RESOLUTION NO. 38

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Introduced: 3/8/96

Referred: Resources

A RESOLUTION

1 **Opposing the proposed expansion of the United States Environmental Protection**
2 **Agency's toxics release inventory program.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** the United States Environmental Protection Agency has proposed new
5 rules to expand the Toxics Release Inventory (TRI) Program; and

6 **WHEREAS** this expansion could add electric utilities, waste management facilities,
7 mining, oil and gas exploration and production, materials recovery and recycling, and some
8 warehousing activities to the list of facilities required to report toxic chemical releases under
9 the TRI program; and

10 **WHEREAS** only manufacturing facilities must currently report under the TRI program
11 and there are significant fundamental differences between manufacturing facilities and the
12 facilities threatened with addition to the list; and

13 **WHEREAS** nearly all of the produced water, natural gas, and other miscellaneous
14 materials from oil and gas exploration and production facilities are discharged to deep disposal
15 wells far below the groundwater aquifer; and

16 **WHEREAS** the Environmental Protection Agency's profiles of various industries not

1 currently required to report under the TRI program assume that typical releases remain
2 constant; this is not the case for at least some operations where the concentrations of
3 chemicals in wastestreams change constantly; and

4 **WHEREAS** the only way to monitor these varying discharges would be for operators
5 to perform regular, expensive wastestream tests; and

6 **WHEREAS** the information gained from these tests would not benefit communities
7 significantly because much of the information regarding onsite hazardous substances is already
8 required to be reported to local emergency planning committees, the Alaska State Emergency
9 Planning Commission, the State Fire Marshall's office, and local fire departments; and

10 **WHEREAS** the Alaska State Legislature considers this proposed rule-making would
11 result in an unnecessary, duplicative reporting burden; and

12 **WHEREAS** this expanded reporting requirement will force companies operating in
13 Alaska to redirect financial resources to a reporting effort with far less benefit than current
14 reporting requirements; and

15 **WHEREAS** the State of Alaska has been implementing changes to minimize the cost
16 burden on marginal oil and gas projects and those nearing their economic end;

17 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests that the
18 United States Environmental Protection Agency cease from imposing additional, duplicative
19 reporting mandates on industry; and be it

20 **FURTHER RESOLVED** that, if the Environmental Protection Agency continues with
21 the implementation of the proposed rule, the Alaska State Legislature requests that oil and gas
22 exploration and production be exempted from the TRI program reporting requirements.

23 **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the
24 United States; the Honorable Al Gore, Jr., Vice-President of the United States and President
25 of the U.S. Senate; the Honorable Robert Dole, Majority Leader of the U.S. Senate; the
26 Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; the Honorable Ted
27 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young,
28 U.S. Representative, members of the Alaska delegation in Congress; and to Carol Browner,
29 Administrator, U.S. Environmental Protection Agency.