



National Association of SARA Title III Program Officials

Concerned with the Emergency Planning and Community Right-to-Know Act

Paula McKinney, Membership Chair NASTTPO P.O. Box 142482 Austin, Texas 78714-2482

May 2, 2002

Tom Ridge, Director
Office of Homeland Security
The White House
Washington, DC 20502

Dear Director Ridge:

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The National Association of SARA Title III Program Officials (NASTTPO) is an organization consisting of planners, responders, regulators, educators, interested parties and industry members who have roles in implementing the Superfund Amendment and Reauthorization Act Title III [Emergency Planning and Community Right to Know Act (EPCRA) of 1986] within their respective jurisdictions. Many members have been active in this association since 1988 and have an in-depth knowledge of the statutory requirements prescribed by PL 99-499 (EPCRA). Most members serve in some capacity with Local Emergency Planning Committees (LEPCs), State/Tribal Emergency Response Commissions (SERCs/TERCs), State Emergency Management Agencies and/or State/Tribal Environmental Quality organizations. Members have extremely strong backgrounds in EPCRA requirements, intent and implementation. Members are active in successful programs.

Many of us were not aware until quite recently of Tennessee Governor Sundquist's October 8, 2001 letter to you requesting the revocation of PL 99-499. While the Governor's letter hits upon significant concerns, we urge you, in any actions you may consider, to NOT undermine a program that has enhanced community planning, awareness, responder protection and communications significantly over the last 16 years. It would be sinful to have the administration's goal of having the population return to a normal existence be contradicted by impinging on basic rights to have access to chemical information within communities, particularly when responders and planners need that information for their own protection as well as for the protection of the community.

There is no cause to move towards the revocation of an excellent program that has done quite well in reducing public and private threats as a result of use, storage and management of hazardous chemicals. Please note also that many states have their own implementing laws for the Emergency Planning and Community Right to Know Act, exemplifying their placing high value on that law's worth.

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The purpose of this letter is not to rebut the Governor's letter. The purpose rather is to call to your attention to the need to involve those organizations, both public and private that truly know the Emergency Planning and Community Right to Know Act of 1986. Those organizations, because of EPCRA, have worked hard to enhance planning, safety, and community security. A question that you may well pose is: Is there a higher probability of negative impacts to a community from a terrorist act or from a roll-back of chemical information availability that has caused business and industry to publicly examine practices, processes, and procedures for accident prevention and mitigation? Intuitively, many of us believe the latter.

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Any support you could muster, to include financial support, to specifically assist Local Emergency Planning Committees (LEPCs) and State/Tribal Emergency Response Commissions (SERCs/TERCs) further implement the law in light of domestic preparedness, homeland security and weapons of mass destruction issues would obviously be appreciated. The infrastructure established through EPCRA is strong and could be strengthened by continued emphasis on planning, notification, chemical information from material safety datasheets and Hazardous Chemical Inventory Reports as well as from Toxic Chemical Inventory Reports.

We look forward for opportunities to further this discussion with you. On behalf of the National Association of SARA Title III Program Officials, I remain,

Sincerely,

Gerard Goudreau
President

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