

Emergency Planning and Community Right-to-Know Act (EPCRA) Tier II Reporting

Vermont's Community Right-to-Know Program

November 15, 2017

Why EPCRA ?

- Key hazardous chemical releases
 - Bhopal, India (1984)
 - December 2-3, 1984 - Bhopal, India Union Carbide accidental release of methylisocyanate. The release killed or severely injured more than 2000 people.
 - Institute, West Virginia (1985)
 - August 11, 1985 - The Institute, West Virginia Union Carbide facility leaked methylene chloride and aldicarb oxime, chemicals used to manufacture the pesticide Temik; six workers were injured, and more than a hundred residents were sent to the hospital.
- Increased public concern
 - What is in or around our neighborhoods
- Worker Right-To-Know laws
 - OSHA Hazard Communication Standard (HAZCOM)
- State Right-To-Know laws
 - Title 20 - Chapter 1

What laws establish this Program?

- Federal Law, 42 USC Chapter 116
- Vermont Statute, 20 VSA Chapter 1
- Vermont Rules and Regulations

SARA Title III

302

304

311

312

42USC Chapter 116

11002

11004

11021

11022

Who May Need to Report Annually?

- Gasoline Stations/Auto Repair Shops
- Auto/Truck Dealerships
- Trucking Companies
- Warehouses
- Food Stores
- Manufacturing and Businesses
- Hospitals
- Ski Areas
- Motels, Hotels, and Apartment Complexes
- Schools and Colleges
- Federal, State, and Local Government
- Non-Profits
- Agriculture
- Drilling and Blasting companies

Are there minimum threshold reporting limits?

- 10,000 lbs. (approx. 1500 gallons) for petroleum products (Diesel Fuel, Gasoline, Kerosene, Propane, or #2, #4, #6 Fuel Oil, Aviation Fuel)
- 100 lbs for all other chemicals
- Explosives
 - - any amount of Class A or B requiring license by VT Dept. of Public Safety.
 - - 100 lbs or more - initiating explosives, blasting caps, electric blasting caps, safety fuse, fuse lighters, fuse igniters, squibs, cordeau detonant fuse, instantaneous fuse, igniter cord, igniters

Typical chemicals that a facility may need to report

- Any chemical that you are required to maintain an SDS on and you exceed the minimum threshold of inventory
- Examples but not limited to:
 - Stockpiles of Sand – 100 lbs
 - Road Salt – 10,000 lbs
 - Diesel Fuel, Gasoline, Kerosene, Propane, or #2, #4, #6 Fuel Oil – 10,000 lbs
 - Cleaning Products and Floor Waxes – 100 lbs
 - Compressed Gases (Acetylene, Oxygen, Argon, Nitrogen, etc.) – 100 lbs
 - Motor Oils, Hydraulic Fluids, Lubricants – 100 lbs
 - Windshield Washer Fluids – 100 lbs
 - Water and Wastewater Treatment Chemicals – 100 lbs
 - Battery Acid/Lead Acid Batteries – 100 lbs
 - Refrigerants – 100 lbs
 - Any explosives requiring licensing by the Department of Public Safety
 - Any amount of a carcinogenic chemical that exceeds the minimum threshold established by VOSHA

Typical chemicals that a facility may not need to report

- Any chemical that you have in inventory which is “Consumer Packaged”
- Examples but not limited to:
 - Quart Container of Oil
 - Road Salt – bagged 5, 10, 20 lb
 - Fuel in cans (White Gas, Non Ethanol Gasoline, etc.)
 - Cleaning Products and Floor Waxes – in spray containers or plastic jugs

Who manages VT EPCRA?

- Division of Fire Safety
 - Tier II Reporting
 - Facility Inspections and Identification
 - Fee Processing
- SERC Administration
 - Quarterly Meetings
 - Membership
 - LEPC Assistance
 - Planning, Training, and Exercises
 - Grants
 - LEPC Annual \$4,000
 - HMEP Planning and Training Grant
 - Workshops
 - Partner with DFS as needed for annual EPCRA Training

Where Do You Send the Tier II Reports?

- Reports and payment (check) sent to Department of Public Safety – Division of Fire Safety - Community Right-to Know Program, 1311 US Route 302, Suite 600, Barre VT 05641
- State Emergency Response Commission (SERC)
- Local Emergency Planning Committee (LEPC)
 - 13 LEPCs in Vermont
- Local Responding Fire Department

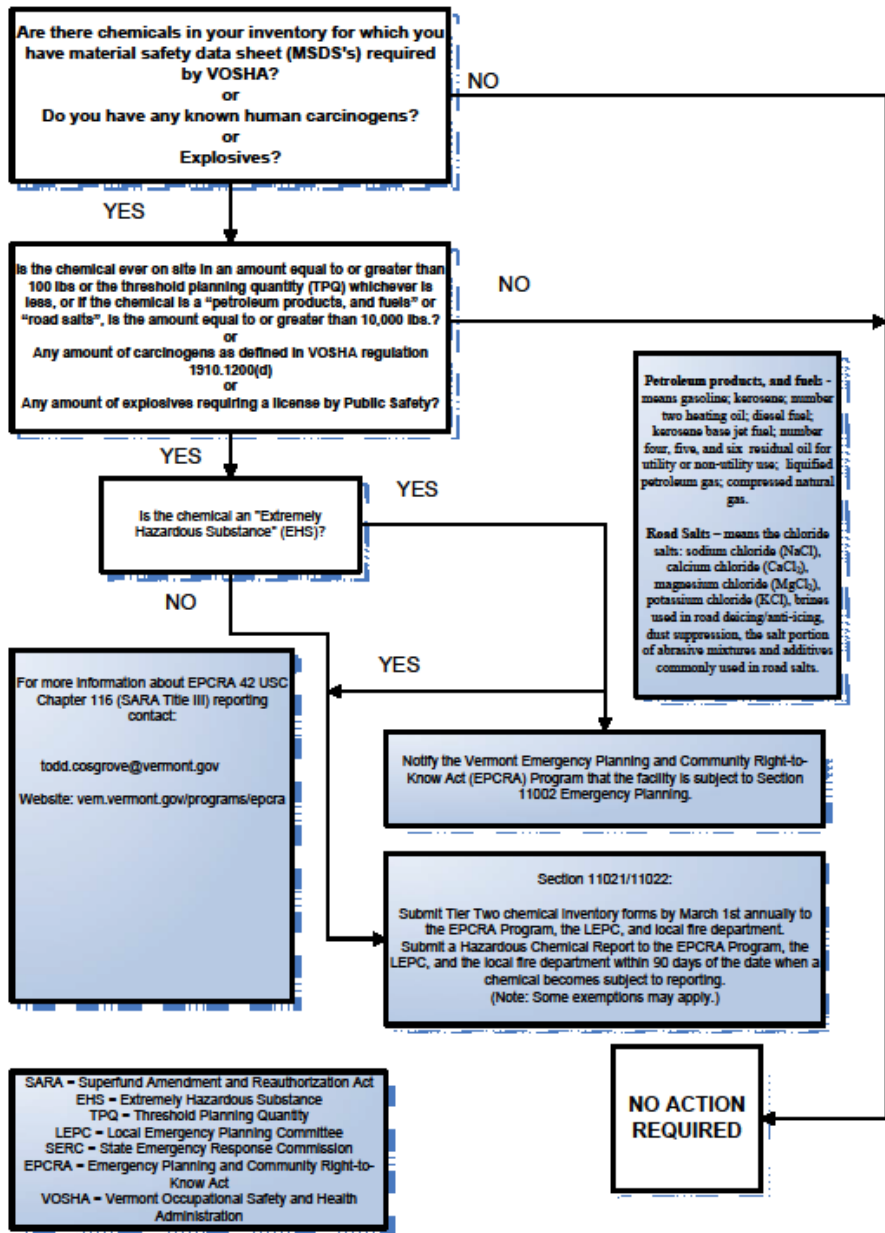
only SDS's for new chemicals need to be sent w/report

Tier II reporting information

- Vermont has a fee structure in place for the category of reporting for each chemical
 - All fees are made payable to the “Department of Public Safety – HSF”
- Federal and State Government, municipalities, most farms, and some non-profits are exempt from paying fees on the chemicals that are reported, but still may have to file a Tier II report.
- Tier II reports and fees are due by March 1st of each year for the previous calendar year’s inventory

**VERMONT
EPCRA Hazardous Chemical Inventory Reporting
Decision Diagram**

**Tier II
Reporting
Flowchart**



SARA = Superfund Amendment and Reauthorization Act
 EHS = Extremely Hazardous Substance
 TPQ = Threshold Planning Quantity
 LEPC = Local Emergency Planning Committee
 SERC = State Emergency Response Commission
 EPCRA = Emergency Planning and Community Right-to-Know Act
 VOSHA = Vermont Occupational Safety and Health Administration

Fee Structure

REPORTING FEES

Vermont Reporting Fees are as indicated on the fee chart listed on our website. Please follow the flow chart to determine what the respective fees will be for each of your reportable quantities of chemicals.

- **"Quantity Reported" is based upon the "Maximum Daily Amount (largest tank size)" of the Inventory section of the reporting form.**

*** NEW Reporting Fees (2016) will be as follows:**

<u>QTY Reported (Pounds)</u>	<u>Fee</u>
100-999	\$40
1,000-9,999	\$60
10,000-99,999	\$100
100,000-999,999	\$290
1,000,000 or greater	\$880

Any Extremely Hazardous Substance (EHS) is \$250 additional for any reportable quantity.

MSDS Reporting: Hazard Category Comparison For Reporting Under Sections 311 and 312

- EPA's Hazard Categories
 - Fire Hazard
 - Sudden Release of Pressure
 - Reactive
 - Immediate (Acute)
 - Health Hazards Delayed (Chronic)
Health Hazard
- OSHA's Hazard Categories
 - Flammable Combustion Liquid
Pyrophoric Oxidizer
 - Explosive Compressed Gas
 - Unstable Reactive Organic Peroxide
Water Reactive
 - Highly Toxic Toxic Irritant Sensitizer
Corrosive
 - Other hazardous chemicals with an
adverse effect with short term exposure
 - Carcinogens
 - Other hazardous chemicals with an
adverse effect with long term exposure

* See handout for new update

Additional Tier II Information

- Tier II Forms/Reports are submitted to the State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and your local Fire Department
- A program called Tier2Submit can be downloaded and installed to assist in Tier II preparation from the following website: <http://www.epa.gov/emergencies/content/epcra/tier2.htm>
- The reporting is via the Tier2Submit Software program (either attach .t2s file to email or send on CD/Thumbdrive).
- Latitude and Longitude are required for all reports
- Transportation routes are required for all reports

Vermont Emergency Management

SEARCH

EMERGENCY PLANNING & COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)

Hazardous Materials EPCRA Compliance Tier II Program - Community Right-to-Know
To report a Hazardous Materials Spill call the HAZMAT Hotline at 800-641-5005

Tier II Compliance Program

c/o Todd Cosgrove (mailto:todd.cosgrove@vermont.gov)
Division of Fire Safety
1311 U.S. Route 302 - Suite 600
Barre, VT 05641
Telephone: 802-479-7586

Community Right To Know Information

Vermont Community Right to Know Reporting Package (/sites/demhs/ les/EPCRA/VT%202016%20EPCRA%20Tier%20II%20Package.pdf)
Tier II Reporting Changes for 2016 (/sites/demhs/ les/EPCRA/2016%20Tier%20II%20Reporting%20Changes.pdf)
Tier II Frequently Asked Questions (/sites/demhs/ les/pdfs/programs/epcra/8-Frequently-Asked-Tier-II-Questions-2015.pdf)
Tier II Additional Frequently Asked Questions (/sites/demhs/ les/pdfs/programs/epcra/9-Additional-EPCRA-Frequent-Questions-EPA.pdf)
List of Common NAICS Codes (/sites/demhs/ les/EPCRA/appendix%20b%20-%20list%20of%20common%20naics%20codes.pdf)
SERC Bylaws (/sites/demhs/ les/pdfs/SERC-BYLAWS.pdf)
Draft Rules and Regulations for Community Right-to-Know (/sites/demhs/ les/pdfs/Rules-Regs-for-CRTK.pdf)
Please Note - Facilities that use or possess cooling and freezing equipment containing Anhydrous Ammonia or Freon may be required to report these chemicals if you exceed 100 lbs. of chemical in all freezer/cooling units at your site. Please read the Cooling and Freezing Chemical Memo.
Community Right-To-Know Reporting Decision Tree (/sites/demhs/ les/EPCRA/Decision%20Flow%20Tree%202016.pdf)
Community Right-To-Know Fee Flow Chart (/sites/demhs/ les/EPCRA/2016%20Tier%20II%20Fee%20Chart.pdf)
Community Right-To-Know - Typical Chemicals to be Reported on Tier II (/sites/demhs/ les/pdfs/programs/epcra/3-Typical-Chemicals-to-be-Reported.pdf)
Community Right-To-Know Public Information (/sites/demhs/ les/Vermont%20Community%20Right%20To%20Know%20082416.pdf)
Vermont CRTK Cover Letter (/sites/demhs/ les/EPCRA/2016%20CRTK%20Cover%20Letter%20101415.pdf)
Vermont CRTK Tier II Package (/sites/demhs/ les/EPCRA/VT%202016%20EPCRA%20Tier%20II%20Package.pdf)
Vermont CRTK Tier II Form (/sites/demhs/ les/EPCRA/Vermont%20Tier%20II%20Form%202016.pdf)
LEPC Districts and Address (/sites/demhs/ les/LEPC%20Districts%20and%20Addresses%20Updated%201-12-17.pdf)

Electronic Reporting

EPA has developed the Tier2submit software to help you prepare an electronic report. Vermont is requesting that all facilities use the Tier2Submit2015 software (<http://www2.epa.gov/epcra/tier2-submit-software>) to submit the Tier2 report for calendar year 2015 (January 1 to December 31, 2015).

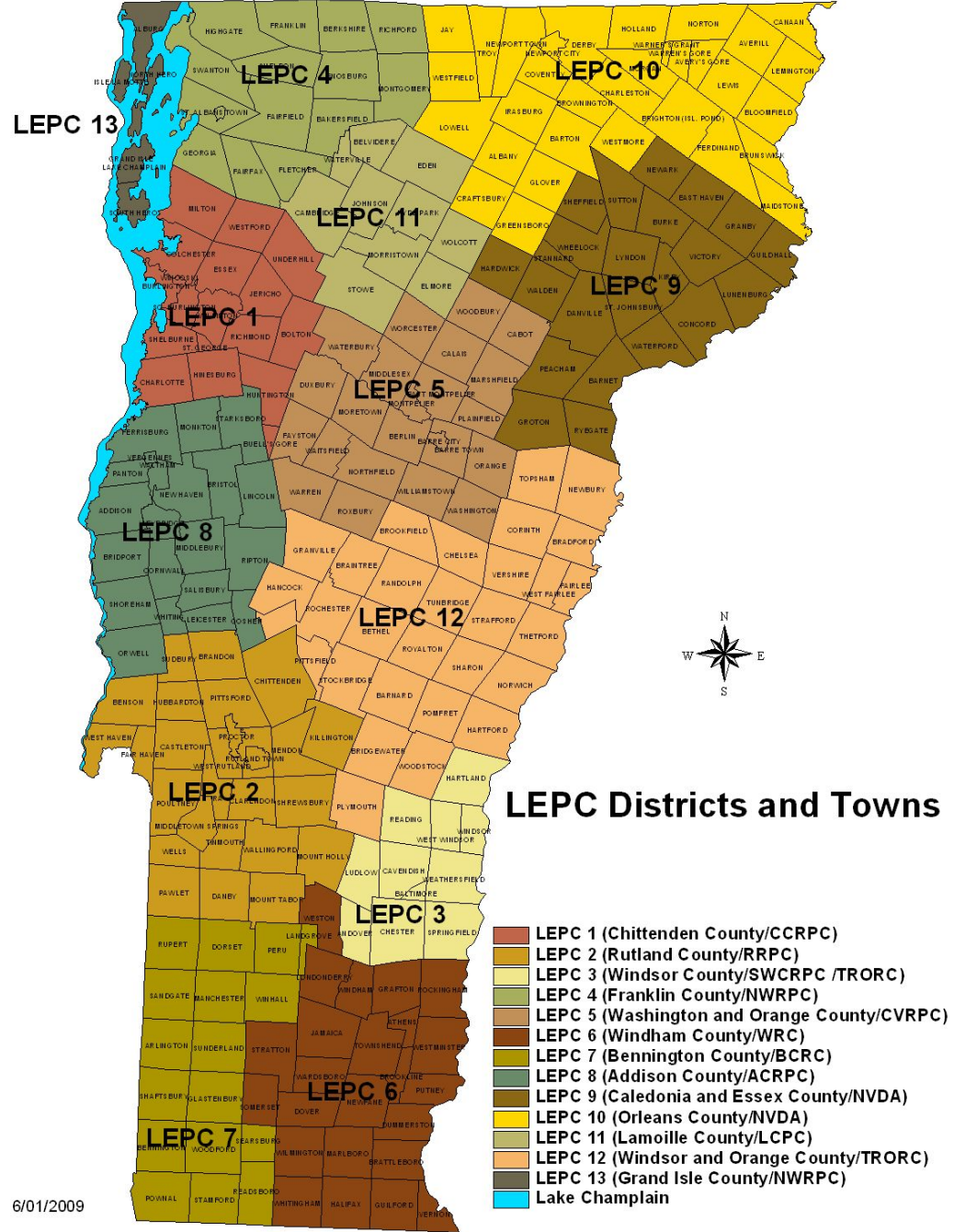
Emergency Response Guidebook

Emergency Response Guidebook (<https://dl.dropbox.com/u/20909074/ERG2012.pdf>)

Associated Links

Federal Sara Title III Information (/sites/demhs/ les/pdfs/programs/epcra/17_42_USC_CHAPTER_116.doc)
Vermont Statute 20 VSA (/sites/demhs/ les/pdfs/programs/epcra/18_20_VSA_Chapter_1_042307.doc)
EPA Superfund Amendments and Reauthorization Act of 1986, Title III Emergency Planning and Community Right-to-Know Program (/sites/demhs/ les/pdfs/programs/epcra/19_Rules_and_Regs_for_CRTK.doc)
EPA Title III List of Lists (/sites/demhs/ les/pdfs/programs/epcra/20_list_of_lists_05_07_10.pdf)
State Emergency Response Commission (SERC) (/programs/serc)
Local Emergency Planning Committee (LEPC) (/programs/lepc)

Vermont's 13 LEPCs



6/01/2009

Vermont Tier II Reporting

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