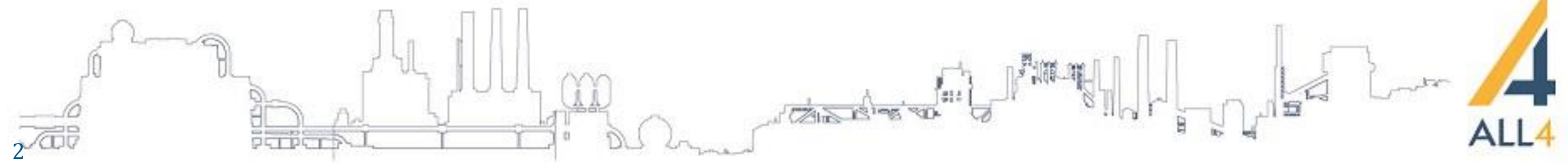


- ❑ How to ask questions?
  - Please enter your questions in the Questions box.
  - Q&A at the end.
- ❑ Can I get a certificate of completion?
  - Yes, webinar attendees will receive a certificate upon request.
  - Continuing Education for Certifications/Licenses.
- ❑ Will I get a copy of the slides?
  - Yes, we will post a recording of the webinar and a copy of the slides on our website. A link will be emailed to participants.

# EPCRA Part 1: Tier II Reporting

Emergency Planning and Community Right-to-Know Act

Karen Thompson



# Tier II Reporting

02/12/2021

- This session will concentrate on Tier II reporting for onsite storage of chemicals.

We will discuss:

- Why Tier II reporting is necessary
- Who receives the report
- Additional planning for EHS chemicals
- How the planning for EHS chemicals is different from other contingency plans

# Tier II Background

02/12/2021

- Why? Simply, the 1984 Bhopal disaster.

The Bhopal disaster was a gas leak incident on the night of 2–3 December 1984 at the Union Carbide India Limited (UCIL) pesticide plant in Bhopal, Madhya Pradesh, India. Over 500,000 people were exposed to methyl isocyanate (MIC) gas. The highly toxic substance made its way into and around the small towns located near the plant.

Estimates vary on the death toll. The official immediate death toll was 2,259. The cause of the disaster remains under debate.



# Tier II Background

02/12/2021

## □ Why do we report?

As a reminder Tier IIs are the reporting piece for facilities under the 1986 Superfund Amendment and Reauthorization Act (SARA) Title III, which is the Emergency Planning and Community Right-to-Know Act (EPCRA).

Tier II reporting falls under the Emergency Planning part of the Act. It is community planning. Your Tier II supports planning for the local community – Local Emergency Planning Committees (LEPC).



# Tier II Background

02/12/2021

## □ What is the LEPC?

There is one LEPC for each of the more than 3,000 designated local emergency planning districts.

## □ The LEPC membership must include (at a minimum):

- Elected state and local officials
- Police, fire, civil defense, and public health professionals
- Environment, transportation, and hospital officials
- **Facility representatives**
- Representatives from community groups and the media

<https://www.epa.gov/epcra/state-emergency-response-commissions-contacts>



# Tier II Background

02/12/2021

- Who else has a copy of my Tier II?

Reporting is done through your state. Under EPCRA each State also has a part in the emergency planning. Your state has its own **State Emergency Response Commission (SERC)** that coordinates with each LEPC. Each state determines where this commission is housed – state National Guard Headquarters, Emergency Management Offices, within state environmental departments.

Beyond submittal to the state, your **local fire department** is also provided a copy that either you send directly or that the SERC disseminates.



# Tier II Background

02/12/2021

## □ How do I report?

Every state and territory have the discretion to determine how to report.

You can always check <https://www.epa.gov/epcra/state-emergency-response-commissions-contacts> to find your state.



# Tier II Background

02/12/2021

## □ What to Report?

- There is no complete list of all chemicals that are considered hazardous. The Safety Data Sheet (SDS) can help you determine if a product is "hazardous". If you are required by Occupational Safety and Health Administration (OSHA) to keep a SDS on file for any chemicals stored or used at your facility, those chemicals are typically considered hazardous under the Tier II Program. You must report any hazardous chemical that you have stored on-site above 10,000 pounds.
- Extremely hazardous substances (EHS) include only the 356 chemicals listed under Section 302. The reporting threshold for EHS is 500 pounds or the threshold planning quantity (TPQ), whichever is less.

\* Gasoline and Diesel are 75,000 and 100,000 gallons, respectively



# EHS Chemicals

02/12/2021

## Appendix A to Part 355—The List of Extremely Hazardous Substances and Their Threshold Planning Quantities

[Alphabetical Order]

### 302 List - EHS Chemicals

How to Calculate Quantities:

Pure chemical – Sulfuric Acid 99% pure

Mixture - Compound with 10% Acrolein

Metal Compounds – Chromium Sulfate

CAS No.	Chemical name	Notes	Reportable quantity* (pounds)	Threshold planning quantity (pounds)
75-86-5	Acetone Cyanohydrin		10	1,000
1752-30-3	Acetone Thiosemicarbazide		1,000	1,000/10,000
107-02-8	Acrolein		1	500
79-06-1	Acrylamide	f	5,000	1,000/10,000
107-13-1	Acrylonitrile	f	100	10,000
814-68-6	Acrylyl Chloride	d	100	100
111-69-3	Adiponitrile	f	1,000	1,000
116-06-3	Aldicarb	b	1	100/10,000
309-00-2	Aldrin		1	500/10,000
107-18-6	Allyl Alcohol		100	1,000
107-11-9	Allylamine		500	500
20859-73-8	Aluminum Phosphide	a	100	500
54-62-6	Aminopterin		500	500/10,000
9/5/7446	Sulfur Dioxide	f	500	500
7783-60-0	Sulfur Tetrafluoride		100	100
11/9/7446	Sulfur Trioxide	a	100	100
7664-93-9	Sulfuric Acid		1,000	1,000
77-81-6	Tabun	b, d	10	10
7783-80-4	Tellurium Hexafluoride	e	100	100
107-49-3	TEPP		10	100
302-01-2	Hydrazine		1	1,000
74-90-8	Hydrocyanic Acid		10	100
7647-01-0	Hydrogen Chloride (gas only)	f	5,000	500
7664-39-3	Hydrogen Fluoride		100	100
7722-84-1	Hydrogen Peroxide (Conc >52%)	f	1,000	1,000
715/7783	Hydrogen Selenide		10	10
614/7783	Hydrogen Sulfide	f	100	500

[https://www.epa.gov/sites/production/files/2015-03/documents/list\\_of\\_lists.pdf](https://www.epa.gov/sites/production/files/2015-03/documents/list_of_lists.pdf)



# What the EHS Plan Is NOT

02/12/2021

- ❑ OSHA Emergency Response Plan
- ❑ SPCC Plan
- ❑ FRP
- ❑ SWPP Plan
- ❑ BMP Plan
- ❑ HMSP

The plan goes beyond a facility plan for evacuation or spill cleanup. It also includes how to communicate and respond to potential releases that cross the fence line and impact properties and people beyond your facility.



## □ EHS Plan

Under EPCRA, if you report any EHS chemicals at your facility, a facility emergency response plan must be developed for review, approval and incorporation into the community emergency planning.

## □ Items that are in the Plan

- Transportation Routes and Modes of Transportation for EHS chemicals.
- Worst Credible Release/Vulnerable Zone/Quadrant Map
- EHS Supplier Information
- Staging area and alternate locations
- Facility Map with storage locations, north arrow, and access points
- Full list of EHS chemicals and hazards
- Special facilities likely to be impacted (off-site)
- Protective Actions
- Equipment/Training
- Medical

# Best Practices

02/12/2021

- ❑ Track chemical purchases and inventory with purchasing department.
- ❑ Have purchasing notify you when they change chemical vendors or order a “new” product.
- ❑ You may have a way to identify chemical purchases as Tier II reportable in SAPs.
- ❑ If you have a separate H&S person or team, ask for the list of chemicals and SDSs that they are tracking.
- ❑ Organize in a spreadsheet or database with reporting limits for your chemical list.



# List of Websites

02/12/2021

- ❑ U.S. EPA List of Lists - [https://www.epa.gov/sites/production/files/2015-03/documents/list\\_of\\_lists.pdf](https://www.epa.gov/sites/production/files/2015-03/documents/list_of_lists.pdf)
- ❑ U.S. EPA EPCRA Website - <https://www.epa.gov/epcra>
- ❑ Cross Walk for Chemical Hazards - <https://www.epa.gov/epcra/physical-and-health-hazards-cross-walk-epcra-tier-ii-reporting>
- ❑ E-CFR Part 355 EHS Chemical List - <https://www.ecfr.gov/cgi-bin/text-idx?SID=2b4d2d375e73ebc5c93d8b2fe632cb6f&mc=true&node=pt40.28.355&rgn=div5>
- ❑ SERC Contacts - <https://www.epa.gov/epcra/state-emergency-response-commissions-contacts>





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02/12/2021

CMS Practice Area  
Senior Technical Manager  
Location: Flexible

Houston Office  
Regional Office Director  
Location: Stafford, TX

CMS Practice Area  
Project Engineer/Scientist  
Location: Flexible

Raleigh Office  
Consulting Engineer/Scientist  
Location: Durham, NC



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# Questions?

For More information on ALL4 visit [www.all4inc.com](http://www.all4inc.com)

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