EPA TIER TWO INVENTORY FORM INSTRUCTIONS

GENERAL INFORMATION

Submission of the inventory form is required by the Emergency Planning and Community Right-to-Know Act (EPCRA), Section 312, Public Law 99-499, codified at 42 U.S.C. Section 11022. The purpose of this Tier Two form is to provide State and local officials and the public with specific information on hazardous chemicals present at your facility during the past year. Some State emergency response commissions (SERCs) and local emergency planning committees (LEPCs) across the country have modified the Tier Two form slightly to meet their individual needs. First time reporters are encouraged to contact the appropriate designated State and local agencies to ensure that the proper form/procedure is being used to meet this reporting obligation.

CERTIFICATION

The owner or operator or the officially designated representative of the owner or operator must certify that all information included in the Tier Two submission is true, accurate, and complete.

YOU MUST PROVIDE ALL INFORMATION REQUESTED ON THIS FORM TO FULFILL REPORTING REQUIREMENTS.

WHO MUST SUBMIT THIS FORM

The requirements of Section 312 may apply to any facility that is required, under regulations implementing Occupational Safety and Health Administration (OSHA) Act of 1970, to prepare or have available a material safety data sheet (MSDS) for each hazardous chemical present at the facility. MSDS requirements are specified in the OSHA Hazard Communication Standard, found in Title 29 of the Code of Federal Regulations at Part 1910.1200.

Reporting thresholds (or peak storage amounts) have been established under the law, below which a facility does not need to report. These thresholds are discussed below.

Section 312 of EPCRA requires that the owner or operator of a facility covered by this section submit their inventory form to the State emergency response commission, a local emergency planning committee, and the fire department with jurisdiction over the facility.

This form does not have to be submitted if all of the chemicals located at your facility are excluded under Section 311(e) of EPCRA.

WHAT CHEMICALS MUST BE REPORTED ON THIS FORM

You must report the required information on this Tier Two form for each hazardous chemical present at your facility in quantities equal to or greater than established threshold amounts (discussed below), unless the chemicals are excluded under Section 311(e) of EPCRA. A hazardous chemical is any substance for which your facility must maintain an MSDS under OSHA's Hazard Communication Standard.

WHAT CHEMICALS ARE EXCLUDED

Section 311(e) of EPCRA excludes the following substances:

(I) Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration;
(II) Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use;
(III) Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public;
(IV) Any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual;
(V) Any substance to the extent it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

OSHA regulations, Section 1910.1200(b), stipulate exemptions from the requirement to prepare to have available an MSDS.

REPORTING THRESHOLDS

Minimum thresholds have been established for reporting under EPCRA, Section 312. These thresholds are as follows:

For Extremely Hazardous Substances (EHSs) designated under Section 302 of EPCRA, the reporting threshold is 500 pounds (or 227 kg.) or the threshold planning quantity (TPQ), whichever is lower.

For all other hazardous chemicals for which facilities are required to have or prepare an MSDS, the minimum reporting threshold is 10,000 pounds (or 4540 kg.).

You need to report hazardous chemicals that were present at your facility at any time during the previous calendar year at levels that equal or exceed these thresholds. For instructions on threshold determinations for components of mixtures, see "What About Mixtures?" on page 2 of these instructions.

INSTRUCTIONS

WHEN TO SUBMIT THIS FORM

Owners or operators of facilities that have hazardous chemicals on hand in quantities equal to or greater than set threshold levels must submit inventory information by March 1.

WHERE TO SUBMIT THIS FORM

Send the completed Tier Two form(s) to each of the following organizations:

1. Your State Emergency Response Commission (SERC).
2. Your Local Emergency Planning Committee (LEPC).
3. The fire department with jurisdiction over your facility.

PENALTIES

Any owner or operator who violates the EPCRA section 312 reporting requirements shall be liable to the United States for a civil penalty of up to $25,000 for each such violation. Each day a violation continues shall constitute a separate violation.

If your Tier Two responses require more than one page, use additional forms and fill in the page number at the top of the form.

REPORTING PERIOD

Enter the appropriate calendar year, beginning January 1 and ending December 31.

FACILITY IDENTIFICATION

Enter the full name of your facility (and company identifier where appropriate).

Enter the full street address or state road. If a street address is not available, enter other appropriate identifiers that describe the physical location of your facility (e.g., longitude and latitude). Include city, county, state and zip code.

Enter the primary Standard Industrial Classification (SIC) code and the Dun & Bradstreet (D&B) number for your facility. The financial officer of your facility should be able to provide the D&B number if the facility has been assigned one. If your firm does not have a number, leave this field blank.

OWNER/OPERATOR

Enter the owner's or operator's full name, mailing address, and phone number.

EMERGENCY CONTACT

Enter the name, title, and work phone number of at least one local person or office who can act as a referral if emergency responders need assistance in responding to a chemical accident at the facility.

Provide an emergency phone number where such emergency information will be available 24 hours a day, everyday. The requirement is mandatory. The facility must make some arrangement to ensure that a 24 hour contact is available.

IDENTICAL INFORMATION

Check the box indicating identical information if the current chemical information being reported is identical to that submitted last year. Chemical descriptions, hazards, amounts, and locations must be provided in this year's form, even if the information is identical to that submitted last year.

CHEMICAL INFORMATION: Description, Hazards, Amounts, and Locations

The main section of the Tier Two form requires specific information on amounts and locations of hazardous chemicals, as defined in the OSHA Hazard Communication Standard.

If you choose to indicate that all of the information on a specific hazardous chemical is identical to that submitted last year, check the appropriate optional box provided at the right side of the storage codes and locations on the Tier Two form. Chemical descriptions, hazards, amounts, and locations must be provided even if the information is identical to that submitted last year.

- What units should I use?

Calculate all amounts as *weight in pounds*. To convert gas or liquid volume to weight in pounds, multiply by an appropriate density factor.

- What about mixtures?

If a chemical is part of a mixture, *you have the option* of reporting either the weight of the entire mixture or only the portion of the mixture that is a particular hazardous chemical (e.g., if a hazardous solution weighs 100 lbs. but is composed of only 5% of a particular hazardous chemical, you can indicate either 100 lbs. of the mixture *or* 5 lbs. of the chemical).

The option used for each mixture must be consistent with the option used in your Section 311 reporting.

Because EHSs are important to Section 303 planning, EHSs have lower thresholds. The amount of an EHS at a facility (both pure EHS substances and EHSs in mixtures) must be aggregated for purposes of threshold determination. It is suggested that the aggregation calculation be done as a first step in making the threshold determination. Once you determine whether a threshold for an EHS has been reached, you should report either the total weight of the EHS at your facility, or the weight of each mixture containing the EHS.

CHEMICAL DESCRIPTION

4. Enter the Chemical Abstract Service (CAS) registry number. For mixtures, enter the CAS number of the mixture as a whole if it has been assigned a number distinct from its constituents. For a mixture that has no CAS number, leave this item blank or report the CAS numbers of as many constituent chemicals as possible.

If you are withholding the name of a chemical in accordance with criteria specified in EPCRA, Section 322, enter the generic class or category that is structurally descriptive of the chemical (e.g., list toluene diisocyanate as organic isocyanate) and check the box marked Trade Secret. Trade secret information should be submitted to EPA and must include a substantiation. Please refer to EPA's final regulation on trade secrecy (53 FR 28772, July 29, 1988) for detailed information on how to submit trade secrecy claims.

5. Enter the chemical name or common name of each hazardous chemical.

6. Check box for *ALL* applicable descriptors: pure or mixture; *and* solid, liquid, or gas; and whether the chemical is or contains an EHS.

7. If the chemical is a mixture containing an EHS, enter the chemical name of each EHS in the mixture.

EXAMPLE:

You have pure chlorine gas on hand, as well as two mixtures that contain liquid chlorine. You write "chlorine" and enter the CAS number. Then you check "pure" *and* "mix" -- as well as "liquid" *and* "gas".

PHYSICAL AND HEALTH HAZARDS

For each chemical you have listed, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 CFR 370.2. The two health hazard categories and three physical hazard categories are a consolidation of the 23 hazard categories defined in the OSHA Hazard Communication Standard, 29 CFR 1910.1200.

Hazard Category Comparison
For Reporting Under Sections 311 and 312

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

MAXIMUM AMOUNT

1. For each hazardous chemical, estimate the greatest amount present at your facility on any single day during the reporting period.

2. Find the appropriate range value code in Table I.

3. Enter this range value as the Maximum Amount.

Table I REPORTING RANGES

Range Value	Weight Range in Pounds From...	To...
01	0	99
02	100	999
03	1,000	9,999
04	10,000	99,999
05	100,000	999,999
06	1,000,000	9,999,999
07	10,000,000	49,999,999
08	50,000,000	99,999,999
09	100,000,000	499,999,999
10	500,000,000	999,999,999
11	1 billion	higher than 1 billion

EXAMPLE:

You received one large shipment of a solvent mixture last year. The shipment filled one 5,000-gallon storage tank. The mixture is a hazardous chemical. The MSDS for the solvent addresses the mixture.

You also know that the density of the solvent mixture is 12.3 pounds per gallon, so you multiply 5,000 gallons by 12.3 pounds per gallon to get the weight of the solvent in pounds (61,500 pounds).

Then you look at Table I and find that the range value 04 corresponds to 61,500. You enter 04 as the Maximum Amount.

AVERAGE DAILY AMOUNT

1. For each hazardous chemical, estimate the average weight in pounds that was present at your facility during the year. To do this, total all daily weights and divide by the number of days the chemical was present on the site.

2. Find the appropriate range value in Table I.

3. Enter this range value as the Average Daily Amount.

EXAMPLE:

The 5,000-gallon shipment of solvent you received last year was gradually used up and completely gone in 315 days. The sum of the daily volume levels in the tank is 907,200 gallons. By dividing 907,200 gallons by 315 days on-site, you calculate an average daily amount of 2880 gallons.

You already know that the solvent weighs 12.3 pounds per gallon, so you multiply 2880 by 12.3 to get a weight of 35,424 pounds.

Then you look at Table I and find that the range value 04 corresponds to 35,424. You enter 04 as the Average Daily Amount.

NUMBER OF DAYS ON-SITE

Enter the number of days that the hazardous chemical was found on-site.

EXAMPLE:

The solvent mixture was present for 315 days at your facility. Enter 315 in the space provided.

STORAGE CODES AND STORAGE LOCATIONS

List all non-confidential chemical locations in the column, along with storage types/conditions associated with each location. Please note that a particular chemical may be located in several places around the facility. Each row of boxes followed by a line represents a unique location for the same chemical.

Storage Codes: Indicate the types and conditions of storage present:

a. *Look at Table II.* For each location, find the appropriate storage type and enter the corresponding code in the first box.
b. *Look at Table III.* For each location, find the appropriate storage types for pressure and temperature conditions. Enter the applicable pressure code in the second box. Enter the applicable temperature code in the third box.

Table II - STORAGE TYPES

CODES		Types of Storage
A		Above ground tank
B		Below ground tank
C		Tank inside building
D		Steel drum
E		Plastic or non-metallic drum
F		Can
G		Carboy
H		Silo
I		Fiber drum
J		Bag
K		Box
L		Cylinder
M		Glass bottles or jugs
N		Plastic bottles or jugs
O		Tote bin
P		Tank wagon
Q		Rail car
R		Other

Table III - PRESSURE AND TEMPERATURE CONDITIONS

CODES		Storage Conditions
		(PRESSURE)
1		Ambient pressure
2		Greater than ambient pressure
3		Less than ambient pressure
		(TEMPERATURE)
4		Ambient temperature
5		Greater than ambient temperature
6		Less than ambient temperature but not cryogenic
7		Cryogenic conditions

EXAMPLE:

The solvent mixture in the main building is kept in a tank inside the building, at ambient pressure and less than ambient temperature.

Table II shows you that the code for a tank inside a building is C. Table III shows you that the code for ambient pressure is 1, and the code for less than ambient temperature is 6.

You enter:	C	1	6

STORAGE LOCATIONS:

Provide a brief description of the precise location of the chemical, so that emergency responders can locate the area easily. You may find it advantageous to provide the optional site plan or site coordinates as explained below.

For each chemical, indicate at a minimum the building or lot. Additionally, where practical, the room or area may be indicated. You may respond in narrative form with appropriate site coordinates or abbreviations.

If the chemical is present in more than one building, lot, or area location, continue your responses down the page as needed. If the chemical exists everywhere at the plant site simultaneously, you may report that the chemical is ubiquitous at the site.

Optional attachments: If you choose to attach one of the following, check the appropriate Attachments box at the bottom of the Tier Two form.

a. *A site plan* with site coordinates indicated for buildings, lots, areas, etc. throughout your facility.
b. *A list of site coordinate abbreviations* that correspond to buildings, lots, areas, etc. throughout your facility.
c. *A description of dikes and other safeguard measures* for storage locations throughout your facility.

EXAMPLE:

You may have solvent in the main room of the main building, and in tank 2 in tank field 10. You attach a site plan with coordinates as follows: main building = G-2, tank field 10 = B-6. Fill in the Storage Location as follows:

B-6 [Tank 2] G-2 [Main Room]

CONFIDENTIAL INFORMATION

Under EPCRA, Section 324, you may elect to withhold location information on a specific chemical from disclosure to the public. If you choose to do so:

- Enter the word "confidential" in the Non-Confidential Location section of the Tier Two form on the first line of the storage locations.
- On a separate Tier Two Confidential Location Information Sheet, enter the name and CAS number of each chemical for which you are keeping the location confidential.
- Enter the appropriate location and storage information, as described above for non-confidential locations.
- Attach the Tier Two Confidential Location Information Sheet to the Tier Two form. This separates confidential locations from other information that will be disclosed to the public.

CERTIFICATION

Instructions for this section are included on page one of these instructions.