

Revisions to Hazardous Chemical Inventory Reporting and Hazard Communication Requirements

Victor L. Weeks
CEPP Program Coordinator
US EPA Region 4

EPCRA Tier I and Tier II Inventory Forms Revisions

- Final Rule July 13, 2012 (77 FR 41300)
- Effective Date is January 1, 2014
- The rule revised the Tier I and Tier II inventory forms by adding some new mandatory data elements and some new optional data elements in the facility identification and contact information sections of both forms. It also revised some existing data elements in the Tier II chemical reporting section
 - * It should be noted that at this time, no state accepts Tier I Inventory reporting forms

New Mandatory Inventory Reporting Data Elements

- Facilities must include latitude and longitude
- Facilities must document their EPCRA TRI and CAA RMP identification numbers, if applicable
- Facilities must indicate whether the location is manned or unmanned
- Facilities must report the maximum number of occupants that may be present at the facility at any one time

New Mandatory Data Elements (continued)

- Facilities must indicate whether it is subject to EPCRA Section 302 – Storage of Extremely Hazardous Substances
- Facilities must indicate whether it is subject to CAA Section 112(r)(7) – RMP a.k.a. Accident Prevention Program
- Facilities must include contact information (name, title, email address, phone number) for their emergency coordinator, contact information for the person responsible for the Tier I or Tier II report content, and the email address for the owner/operator and facility 24-hour emergency phone number

Changes Unique to the Tier II Form

- The revised Tier II form will include the table of range codes and amounts for reporting maximum amount and average daily amount – previously, only the Tier I form included this table
- Separate data fields have been added to the Tier II form for reporting inventories of pure chemicals versus mixtures
- Instead of simply selecting from available storage type /condition codes, facilities must provide actual written descriptions for storage types and conditions

Changes Unique to the Tier II Form (continued)

- The Tier II form was revised to include any additional state or local mandated reporting requirements
- The Tier II form also allows owners/operators to voluntarily report hazardous chemicals that are below the reporting thresholds

Revisions to OSHA's Hazard Communication Standard

- Final Rule – March 26, 2012 (77 FR 17574)
- Rule harmonizes OSHA's hazard communication standard (HCS) with the United Nation's Globally Harmonized System (GHS) of Classification and Labeling of Chemicals
- Prior to this rule, OSHA's HCS did not prescribe any particular format for container or work place safety labeling, or for documenting material safety data sheets (MSDSs) for hazardous chemicals. Rather, the former HCS allowed any format to convey information on hazards as long as companies met certain minimum standard requirements

Revisions to OSHA's Hazard Communication Standard (continued)

- What is GHS? GHS was developed by the United Nations to promote consistent communication of the physical, health and environmental hazards of chemicals
 1. Hazard Classification – specific global criteria for classification of health and physical hazards of pure chemicals and mixtures
 2. Standardized Labeling – signal words, pictograms, precautionary statements
 3. Standard format for Safety Data Sheets (SDSs) – specified 16-section format with consistent sequence and section headings

Revisions to OSHA's Hazard Communication Standard (continued)

- What must U.S. manufacturers and importers do now?
 1. Re-evaluate their chemicals with respect to GHS hazard class and sub-categories
 2. Document SDSs in the GHS standardized 16- section format
 3. Insure SDSs convey any new GHS specified hazard information

Revisions to OSHA's Hazard Communication Standard (continued)

- What are the important deadlines?
 1. December 1, 2013 – Employers must train their employees on the new GHS labeling and SDS formats
 2. June 1, 2015 – Chemical manufacturers, importers, distributors and employers must be GHS SDS compliant
 3. December 1, 2015 – Distributors must be GHS labeling compliant
 4. June 1, 2016 – Employers must update workplace safety labeling and update hazard communication programs, to provide employee training for newly identified GHS physical or health hazards

Revisions to OSHA's Hazard Communication Standard (continued)

- What are the EPCRA Section 311 implications?

Facilities that submitted MSDSs rather than a list of hazardous chemicals under Section 311(a) may have to submit SDSs because Section 311(d)(2) requires owners or operators to submit revised MSDSs to their respective SERCs, LEPCs and responding fire departments within 3 months of finding significant new information about the hazardous chemical for which an MSDS was previously submitted.