

WV TIER II Manager

EPCRA's Hazardous Chemical Inventory

WHO MUST FILE

Facilities must file a TIER II report that meet the reporting requirements established under Section 312 of SARA Title III, 40 CFR 370.

Facilities are required to report their Inventory of Extremely Hazardous Substances (EHS) stored at 500 pounds or the Threshold Planning Quantity (TPQ), whichever is less.

Facilities must report any hazardous chemical for which a Safety Data Sheet is required under the OSHA Hazard Communication Standard, and which is stored in the amount of 10,000 pounds or more.

Due March 1

WV TIER II Manager

The State of West Virginia requires you to submit your TIER II reports online using "TIER II Manager".

<https://westvirginia.hazconnect.com>

TIER II Forms

Required Information:

- Basic Facility information.
- Employee contact information for both emergencies and non-emergencies.
- Information about chemicals stored or used at the facility.

WV TIER II Manager

TIER II Manager automatically notifies the SERC, LEPC and Fire Departments upon submission.

You are no longer required to mail your Annual Reports or SDS.

The reports are stored online and can be viewed and printed if necessary.

FAILURE TO COMPLY

UNDER FEDERAL AND STATE STATUTES, CIVIL PENALTIES MAY BE ASSESSED

WV State Emergency Response Commission

WVSERC

serc@wv.gov

(304) 957-8367



EPCRA

The Emergency Planning and Community Right-to-Know Act (EPCRA) was passed by Congress in 1986. EPCRA was included as Title III of the Superfund Amendments and Reauthorization Act (SARA) and is sometimes referred to as SARA Title III. EPCRA provides for the collection and availability of information regarding the use, storage, production and release of hazardous chemicals to the public and emergency responders in your community.

Local Emergency Planning Committee (LEPC)

40 CFR 300.215 requires the LEPCs to develop an emergency response plan to address responses to hazardous material incidents within their respective planning district.

A portion of the plan is to identify and work with officials from facilities that use, store, produce, etc. hazardous substances within the planning district, to obtain key site-specific chemical inventory data including:

- chemical name,
- volume,
- storage method,
- health hazards, etc.;

and perform hazard analysis studies on facilities storing or using extremely hazardous substances.

LEPCs must identify what chemicals are in use within their planning district, so that the pre-planning efforts and response coordination to hazardous material incidents can progress in an expedient fashion. Obtaining information and communicating with one another is a must for this program to work.

Who Must Report Their Chemical Inventory

The owner or operator of a facility must submit a report when any of the following conditions are met:

- 1) Facility is subject to the OSHA Hazard Communication Standard.
- 2) Facility uses, produces, and/or stores a Hazardous Chemical and/or an Extremely Hazardous Substance (EHS).
- 3) The quantity of one of these Hazardous Chemicals or Extremely Hazardous Substances is in excess of the Threshold Quantity (TQ).

The TQ for Hazardous Chemicals is 10,000 pounds. If your facility stores or uses more than 10,000 pounds of any one hazardous chemical or mixture containing the TQ of a hazardous chemical at your facility, at any one point in time, on any one given day (24 hours), as defined by the OSHA Hazard Communication Standard. Examples include, but are not limited to, gasoline, diesel fuel, 1,1,1 - trichloroethane, paint, methyl ethyl ketone, etc.

The TQ for Extremely Hazardous Substances is 500 pounds or the listed Threshold Planning Quantity (TPQ), *whichever is less*. Examples include, but are not limited to, chlorine, ammonia, hydrofluoric acid, nitric acid, etc.

EPCRA

The citizens in your community have a right-to-know regarding what chemicals are being utilized or stored at a regulated facility. Under this program, citizens may request access to inventory reports and emergency plans developed under this law. There are disclosure protections for trade secret chemical names and confidential locations.

Owners or operators of facilities with hazardous chemicals on hand in quantities equal to or greater than set threshold levels must submit TIER II forms between January 1 and March 1 for the previous calendar year.

The purpose of the TIER II form is to provide state and local officials and the public with specific information on hazardous chemicals present at your facility during the previous calendar year.

The West Virginia State Emergency Response Commission (WVSERC) requires all regulated facilities to submit TIER II information electronically by using TIER II Manager.