PDHonline Course C335 (3 PDH)

US EPA Emergency Planning & Community Right to Know Act for Petroleum Storage Facilities

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US EPA Emergency Planning & Community & OSHA Employee Right to Know Act for Petroleum Industry

OSHA Employee Right to Know Act

United States Department of Labor via Occupational Health & Safety Administration (OSHA)
Under the OSH Act, employers are responsible for providing a safe and healthful workplace. OSHA's mission is to assure safe and healthful workplaces by setting and enforcing standards, and by providing training, outreach, education and assistance. Employers must comply with all applicable OSHA standards. Employers must also comply with the General Duty Clause of the OSH Act, which requires employers to keep their workplace free of serious recognized hazards.

Employers have the responsibility to provide a safe workplace. Employers MUST provide their employees with a workplace that does not have serious hazards and follow all relevant OSHA safety and health standards. Employers must find and correct safety and health problems. OSHA further requires employers to try to eliminate or reduce hazards first by making changes in working conditions rather than just relying on masks, gloves, ear plugs or other types of personal protective equipment (PPE). Switching to safer chemicals, enclosing processes to trap harmful fumes, or using ventilation systems to clean the air are examples of effective ways to get rid of or minimize risks.
Employers MUST also:

- ***Inform employees about hazards through training, labels, alarms, color-coded systems, chemical information sheets and other methods.***
- ***Keep accurate records of work-related injuries and illnesses.***
- ***Perform tests in the workplace, such as air sampling required by some OSHA standards.***
- ***Provide hearing exams or other medical tests required by OSHA standards.***
- ***Post OSHA citations, injury and illness data, and the OSHA poster in the workplace where workers will see them.***
- ***Notify OSHA within 8 hours of a workplace incident in which there is a death or when three or more workers go to a hospital.***
- ***Not discriminate or retaliate against a worker for using their rights under the law.***

EMPLOYEE RIGHT TO KNOW HAZARD COMMUNICATION STANDARD UPDATE (March 2012):
The Hazard Communication Standard (HCS) is now aligned with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). This update to the Hazard Communication Standard (HCS) will provide a common and coherent approach to classifying chemicals and communicating hazard information on labels and safety data sheets. Once implemented, the revised standard will improve the quality and consistency of hazard information in the workplace, making it safer for workers by providing easily understandable information on appropriate handling and safe use of hazardous chemicals. This update will also help reduce trade barriers and result in productivity improvements for American businesses that regularly handle, store, and use hazardous chemicals while providing cost savings for American businesses that periodically update safety data sheets and labels for chemicals covered under the hazard communication standard.

EXECUTIVE SUMMARY – OSHA is making changes to its hazard communication standard which requires employers to notify employees of the presence of hazardous chemicals in the workplace. Petroleum industry has been required to comply with the OSHA hazard communication standard since it was first introduced in 1983. The changes are being made to align OSHA's requirements to international standards for chemical container labeling and material safety data sheets (SDS). Employers must train applicable employees on the label and SDS changes by **December 1, 2013.**
MUST TRAIN EMPLOYEES ON OSHA HAZCOM STANDARD CHANGES BY DECEMBER 1, 2013

1. ***Changes to OSHA's Hazard Communication Requirements***
   The Occupational Safety and Health Administration's (OSHA) issued a final rule making changes to the agency's existing Hazard Communication Standard (HAZCOM). The HAZCOM standard has been in effect since 1983 and requires chemical manufacturers to label hazardous chemicals, prepare Safety Data Sheets (SDS) describing potential chemical hazards and provide safe handling instructions for downstream employers. Under the existing HAZCOM program, employers must inform employees of the presence of hazardous chemicals in the workplace by ensuring containers are properly labeled, providing access to material safety data sheets and conducting hazardous chemical training.
2. The final rule primarily concerns format changes to hazardous chemical container labels and material safety data sheets. The final rule will align the HAZCOM standard to international standards by changing the format

for hazard chemical container labels and material safety data sheets (MSDS). Under the new rule, the "Material Safety Data Sheet" designation will be changed to "Safety Data Sheet" (SDS). The new SDS format will contain 16 numbered sections in numerical order containing chemical information including first aid measures. Chemical container labels will include international pictograms and a new format. The new hazardous chemical container label and SDS formats must be in place no later than December 1, 2015. However, since many chemical manufacturers are transitioning to the new formats now or plan to do so ahead of the compliance deadline, OSHA is requiring employers who have hazardous chemicals in the workplace to train employees on the new label and SDS formats by December 1, 2013.

3. ***Impact on Petroleum Industry***

Since the HAZCOM standard has been in effect since 1983, petroleum industry are generally aware of which workplaces within their overall business operation must comply with HAZCOM and the type of employee who requires training under the standard. Factors that determine HAZCOM compliance include; the presence of a hazardous chemical in the workplace, the location of the chemical in a specific work area and the employees who may be exposed to the chemical in the normal course of operation or in a potential emergency. State OSHA regulations also determine HAZCOM compliance as state regulations may be more stringent than federal requirements.

- **Employee Training** - Petroleum industry who are subject to the HAZCOM standard will be required to train applicable employees on the new container label and SDS format by December 1, 2013. The HAZCOM rule applies to workplaces where employees may be exposed to hazardous chemicals under normal operating conditions or in foreseeable emergencies and subject them to health hazards through inhalation, ingestion, skin contact or absorption. Because there are many variables that determine individual workplace compliance with HAZCOM, it is not possible to identify a specific class of employee who must receive training on the label and SDS changes. However, some general assumptions can be made.

  Employees in petroleum marketer operations that will likely require training in the new container label and SDS formats include employees at production operations, refineries, chemical plants, natural gas operations, terminals, pipeline operations, c-stores, lube oil warehouses, bottled propane facilities, automobile quick lubes, car wash operations, and vehicle repair and maintenance shops (upstream & downstream operations).

  Administrative employees in the workplace where hazardous chemicals are present, such as a bulk plant or lube oil warehouse, but assigned to a separate work area without hazardous chemicals, are generally exempt from OSHA HAZCOM requirements. This is true even where the administrative employee must occasionally enter or pass through the work area where the hazardous chemicals are present in their normal course of business.

  CDL drivers are only subject to OSHA HAZCOM compliance during loading and unloading operations located at the workplace. Once drivers leave the workplace for daily deliveries, U.S. DOT regulations apply. The hazardous material training drivers must receive training every two years under U.S. DOT regulations may satisfy OSHA HAZCOM requirements. Marketers should check with their HAZMAT training provider to determine if the course satisfies the new OSHA HAZCOM requirements. If so, these drivers will not require OSHA training.

- **Training Format**– According to OSHA employee training is quick and simple. Employees must be trained to access and comprehend product container labels and SDS. Training should take less than an hour according to OSHA. Marketers may develop their own training using free materials on the OSHA website or purchase ready-made training commercial materials for vendors.
  Quick Card Info:
  To see new SDS format:
  https://www.osha.gov/Publications/OSHA3493QuickCardSafetyDataSheet.pdf

  To see new container label format:
  https://www.osha.gov/Publications/OSHA3492QuickCardLabel.pdf

  To see new pictograms:
  https://www.osha.gov/Publications/OSHA3491QuickCardPictogram.pdf

- **New SDS and Container Labels** – Petroleum industry are not required to create a new SDS for products they distribute. Instead, marketers receive the new product SDS from upstream suppliers. Once a new SDS is received, industry must keep it on file and remove the existing SDS for the corresponding product.

  Industry is also being required to provide a copy of the new product SDS (when they are received from upstream suppliers) to all downstream customers who are employers. The SDS changes are not required until December 1, 2015 but are transitioning into the product distribution system now. Industry with warehouse operations that repackage bulk lube oil must comply with the new HAZCOM label requirements for containers.

Container labels are not required until December 1, 2015. New compliant container labels may be obtained from lube oil suppliers or product manufacturer.

3. State OSHA Programs

Petroleum Industry should check with their state OSHA program regarding compliance with HAZCOM requirements. Compliance requirements may differ in states with their own OSHA plan. States may adopt more stringent regulations than federal requirements. The 27 states and U.S. territories with OSHA-approved occupational safety and health plans are: Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wyoming. Connecticut, Illinois, New Jersey, New York and the Virgin Islands have OSHA approved state plans that apply to public-sector employees only (in these states the federal OSHA requirements apply to private employers).

4. Additional Information

For additional information go to the federal OSHA site at: https://www.osha.gov/dsg/hazcom

US EPA Emergency Planning & Community Right to Know Act for Petroleum Industry

OVERVIEW

The US EPA Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) establishes requirements for Federal, State and local governments, Indian Tribes, and industry regarding emergency planning and "Community Right- to-Know" reporting on hazardous and toxic chemicals. The Community Right-to- Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment.

EPCRA was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. These concerns were triggered by the disaster in Bhopal, India, in which more than 2,000 people suffered death or serious injury from the accidental release of methyl isocyanate. To reduce the likelihood of such a disaster in the United States, Congress imposed requirements on both states and regulated facilities.

Key Provisions of the Emergency Planning and Community Right-to-Know Act

Section 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) requires facilities to inform certain state and local entities about the presence and amounts of hazardous chemicals they keep on site.

Under Section 312, the owners/operators of a facility subject to the provisions of EPCRA are required to submit an emergency and hazardous chemical inventory form to the **local emergency planning committee (LEPC), the state emergency response commission (SERC) and the local fire department.** States and localities, under their own laws and ordinances may require facility owners to submit information that is supplemental to Section 312 requirements.

Any person can ask the state emergency response commission or the local emergency planning committee for the Tier II information from a specific facility relating to the preceding calendar year.

There are two reporting "tiers" under Section 312. According to EPA, states may require the submission of only Tier II information or other state developed forms, provided all federal chemical inventory reporting requirements are met.

Sections 301 to 303. Emergency Planning Local governments are required to prepare chemical emergency response plans, and to review plans at least annually. State governments are required to oversee and coordinate local planning efforts. Facilities that maintain Extremely Hazardous Substances (EHSs) on-site in quantities greater than corresponding Threshold Planning Quantities
(TPQs) must cooperate in emergency plan preparation.

Section 304. Emergency Notification Facilities must immediately report accidental releases of EHS chemicals and "hazardous substances" in quantities greater than corresponding Reportable Quantities (RQs) defined under the Comprehensive

Environmental Response, Compensation, and Liability Act (CERCLA) to state and local officials.

Information about accidental chemical releases must be available to the public.

Sections 311 and 312, Community Right-to-Know Requirements Facilities manufacturing, processing, or storing designated hazardous chemicals must make Safety Data Sheets (SDSs) describing the properties and health effects of these chemicals available to state and local officials and local fire departments. Facilities must also report, to state and local officials and local fire departments, inventories of all on-site chemicals for which SDSs exist. Information about chemical inventories at facilities and SDSs must be available to the public.

This requirement covers the 356 extremely hazardous substances as well as the more than 700 hazardous substances subject to the emergency notification requirements under CERCLA Section 103(a)(40 CFR 302.4).

Section 313, Toxics Release Inventory (TRI) Facilities must complete and submit a Toxic Chemical Release Inventory Form annually for each of the more than 600 Toxic Release Inventory (TRI) chemicals that are manufactured or otherwise used above the applicable threshold quantities. See US EPA web site for more information on TRI. **http://www.epa.gov/tri/**

EPCRA Chemicals and Reporting Thresholds

	Section 302	Section 304	Sections 311/312	Section 313
Chemicals Covered	356 extremely hazardous substances	>1,000 substances	500,000 products	650 toxic chemicals and categories
Thresholds	Threshold Planning Quantity 1-10,000 pounds on site at any one time	Reportable quantity, 1-5,000 pounds, released in a 24-hour period	TPQ or 500 pounds for Section 302 chemicals; 10,000 pounds on site at any one time for other chemicals	25,000 pounds per year manufactured or processed; 10,000 pounds a year used; certain persistent bioaccumulative toxics have lower thresholds

EPCRA Penalties. EPCRA Section 325 allows civil and administrative penalties ranging up to $10,000-$75,000 per violation or per day per violation when facilities fail to comply with the reporting requirements. Criminal penalties up to $50,000 or five years in prison apply to any person who knowingly and willfully fails to provide emergency release notification. Penalties of not more than $20,000 and/or up to one year in prison apply to any person who knowingly and willfully discloses any information entitled to protection as a trade secret.

Citizens Suits. EPCRA section 326 allows citizens to initiate civil actions against EPA, SERCs, and the owner or operator of a facility for failure to meet the EPCRA requirements. A SERC, LEPC, and State or local government may institute actions against facility owner/ operators for failure to comply with EPCRA requirements. In addition, States may sue EPA for failure to provide trade secret information.

What Are SERCs and LEPCs?

The Governor of each state designated a State Emergency Response Commission (SERC). The SERCs, in turn, designated about 3,500 local emergency planning districts and appointed Local Emergency Planning Committees (LEPCs) for each district. The SERC supervises and coordinates the activities of the LEPC, establishes procedures for receiving and processing public requests for information collected under EPCRA, and reviews local emergency response plans.

The LEPC membership must include, at a minimum, local officials including police, fire, civil defense, public health, transportation, and environmental professionals, as well as representatives of facilities subject to the emergency planning requirements, community groups, and the media. The LEPCs must develop an emergency response plan, review it at least annually, and provide information about chemicals in the community to citizens.

Full overview of the US EPA EPCRA regulations is here:
http://www.epa.gov/epcra

What are the Differences between Tier I and Tier II forms.

Section 312 includes a two tier approach. Tier I requires information (such as maximum amount of hazardous chemicals at the facility during the preceding year, an estimate of the average daily amount of hazardous chemicals at the facility, and the general location) be aggregated and reported by hazard categories. Tier II not only requires the information mentioned above, but also requests information on specific location and storage. Finally, Tier I is required by Federal law; Tier II is required only upon request by the local emergency planning committee or the State emergency response commission. However, a covered facility may submit Tier II forms instead of Tier I forms.

Facilities must provide either a Tier I or Tier II form. Most States require the Tier II form. Tier II forms require basic facility identification information, employee contact information for both emergencies and non-emergencies, and information about chemicals stored or used at the facility:

- **The chemical name or the common name as indicated on the SDS**
- **An estimate of the maximum amount of the chemical present at any time during the preceding calendar year and the average daily amount**
- **A brief description of the manner of storage of the chemical**
- **The location of the chemical at the facility**
- **An indication of whether the owner of the facility elects to withhold location information from disclosure to the public**

Annual Filing of Tier II Forms due Annually by March 1, (SARA Title 3, Emergency Planning Law.)

Annual submittal of Tier II forms (Online Submittal is Required) is required for each (see exclusions below) facility storing 10,000 lbs. or more of a hazardous substance (roughly 1600 gallons of gasoline, 1420 gallons of fuel oil, 1480 gallons of kerosene, 1075 gallons of antifreeze, or 1350 gallons of lube oil.) This submittal is due March 1, annually, with copies sent to: (1) Local Emergency Planning Committee; (2) State Emergency Planning Committee; (NC Emergency Response Commission), and (3) Local Fire Marshal. This reporting is required of all facilities, i.e.; ,bulk plants, warehouses and commercial accounts with applicable storage capacities in retail size containers, cans drums, pails, ASTs or USTs that exceed the reporting threshold. Some counties require more stringent reporting thresholds and Tier II fees.

Exclusions: In 1999, EPA finalizes that public retail outlets such as service stations and convenience stores will be exempt from this requirement Aboveground tanks storing gasoline, diesel and kerosene (underground tanks for kerosene also) at retail outlets must still comply with the 10,000 pound rule and are not exempt regardless of their locations.

- ***For gasoline (all grades combined) at a retail gas station, the threshold level is 75,000 gallons (or approximately 283,900 liters), if the tank(s) was stored entirely underground and was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.***
- ***For diesel fuel (all grades combined) at a retail gas station, the threshold level is 100,000 gallons (or approximately 378,500 liters), if the tank(s) was stored entirely underground and the tank(s) was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.***

Amendments to Emergency Planning and Notification; Emergency Release Notification and Hazardous Chemical Reporting (Tier II)

On October 17th, 2008, EPA finalized several changes to the Emergency Planning and Community Right-to-Know Act (EPCRA) regulations (40 CFR Parts 355 and 370). These changes were proposed on June 8, 1998 (63 FR 31268). Facilities

subject to these regulations, State Emergency Response Commissions (SERCs), Local Emergency Planning Committees (LEPCs) and fire departments should become familiar with the new regulation.

All sections of 40 CFR Parts 355 and 370 will be in plain language, using a question and answer format.

There are only minor changes to the emergency planning and emergency release notification sections. For hazardous chemical reporting regulations, there are changes regarding the Tier I and Tier II forms, as well as changes in how to report hazardous chemicals in a mixture.

Tier I and Tier II Forms

- The Tier I and Tier II forms and their instructions have been removed from the code of federal regulations (CFR). They may now be found on EPA's Web site: www.epa.gov/emergencies.
- The revised regulation includes a description of the requirements for Tier I and Tier II. Facilities are now required to report their North American Industry Classification System (NAICS) code on the Tier I or Tier II form.
- Also, the chemical or common name of the chemical as provided on the Material Safety Data Sheet must be provided on the Tier II form.

EPA encourages facilities to contact their State to determine whether any additional requirements or formats are required by the State.

2008 Tier II Guidance

- **Most States use Electronic Submission**
- **File State Tier II reports using E-Plan, the Emergency Response Information System, at https://erplan.net/eplan/login.htm.**
- **There are no fees for some State submission programs.**
- **Check with your County LEPC and responding fire department for their reporting requirements.**

COMMON SDS DATA ON COMMON PETROLEUM PRODUCTS.

Hazardous chemicals are any substances for which a facility must maintain a Safety Data Sheet (SDS) under the OSHA Hazard Communication Standard, which lists the criteria used to identify a hazardous chemical. SDSs are detailed information sheets that provide data on health hazards and physical hazards of chemicals along with associated protective measures. Over 500,000 products have SDSs which are normally obtained from the chemical manufacturer.

The below table describes data one can find from a Safety Data Sheet (SDS). SDS's can be as long as 12 pages and contain much more data than given below. The below information is typical and taken from specific SDS's. For specific information on name brand products one should review the name brand products SDS's.

The table information is based on the following. 1) Density is at 60 degrees F. 2) Most petroleum products have flash points that have a degree range, for safety considerations please use the lowest flash point. 3) NFPA-704 color code is rated on numbers with 0 being the least cause for concern and 4 being the most cause for health and safety concerns. (B) stands for blue and is health rating, (R) stands for red and is fire rating, (Y) stands for yellow is for reactivity rating. 4) Gasoline's contains no oxygenates and is standard RVP.

Chemical Type	Flash Point °F	Density lbs. /gal	Shipping DOT ID#	CAS#	NFPA-704 color code	Hazard Class
Gasoline 89 octane	-44	6.26	1203	86290-81-5	B-2, R-4, Y-0	Flammable
Diesel # 2	120-180	7.19	1993	68476-30-2	B-2, R-2, Y-0	Combustible
K-1 Kerosene	122-150	6.92	1223	8008-20-6	B-1, R-2, Y-0	Combustible
# 2 Fuel Oil	120-180	7.15	1993	68476-30-2	B-0, R-2, Y-0	Combustible
Motor Oil 10W-30	40	7.33	none	64741-88-4	B-0, R-1, Y-0	Combustible
Antifreeze Ethylene-Glycol	235	9.38	none	107-21-1	B-3, R-1, Y-0	non-flammable
Gasoline 87 octane	-44	6.23	1203	86290-81-5	B-2, R-4, Y-0	Flammable
Lube Oil 90 W	360	7.53	none	mixture	B-1, R-1, Y-0	Combustible
Soy Oil (B-100)	266 min.	7.3	none ID # 144920	Methyl Soyate: 67784-80-9;	B-0, R-1, Y-0	Combustible
Ethanol (200 proof)	50-60	6.5	1170	64-17-5	B-0, R-3, Y-0	Flammable
Propane Liquid or Gas	-156	4.2	1978	74-98-6	B-1, R-4, Y-0	Flammable Gas

Attached are instructions for the preparation and submission of the Tier II Emergency and Hazardous Chemical Inventory. Please read the entire package as it contains valuable information, which will greatly simplify your reporting.

Tier II Reporting Facilities Facility Owner/Operator:

Attached are instructions and helpful information for completion of the report. Use these attachments to help you prepare, and then review the report to ensure accuracy. Although paper copies of the Tier II reports will be accepted by some states, other states strongly encourages the electronic submission of the Tier II report using computer software programs. Please note there is no fee associated with filing this report with most Stated; some counties, however, may charge a fee to help support their hazardous materials planning and preparedness program.

Check with your respective county to determine if a fee schedule exists.

If you do not meet Federal thresholds, it is not necessary to file a Tier II report with

the State.

Tips for the Completion and Submission of the Tier II Report Paper Submission

If submitting paper forms either type or print using black or blue ink. Forms completed in pencil, unsigned, or illegible will be returned for re-submission. All fields must be completed in full. Do not enter "same" when identical to another field.

If you photocopy last year's report, check all data (particularly telephone numbers), for accuracy. Copies typically reproduce poorly, and WILL be returned if difficult to read.

In the block labeled "For Official Use Only," insert the latitude/longitude for the facility, using the decimal format (i.e., W75.0, N35.0). All facilities that possess a permit or are required to submit a Risk Management Plan under section 112(r) of the Clean Air Act Amendments of 1990 will have this data. Please refer to your permit, or go to the last page of this section to find information on accessing lat./long data from an Internet website. If you are unable to obtain this data, leave the space blank.

If you are filing a multiple-page report, please use a 9" x 12" envelope for mailing purposes; eliminating any folds in the paper.

Electronic Submission

To obtain computer software you may either download the program and installation instructions from the Department of Homeland Security web site https://erplan.net/eplan/login.htm. There is no charge for acquiring the program. You may also check the State program web sites.

Obtaining Miscellaneous Facility Information

To Locate a Latitude/Longitude for your facility:
1. Go to: **http://www.latlong.net/**
2. Type in Street Address, City, State and Zip Code.
3. Click REQUEST.
4. Lat./Long will be displayed.

To Obtain a Dun and Bradstreet D-U-N-S number for your facility:
1. Call 800-333-0505 and request a number be assigned for your company for identification purposes only. There is no charge for this service.
2. For further information, go to: http://www.dnb.com/

WHOLESALE/RETAIL PETROLEUM SIC CODES TO NAICS CODES

For more detail information go to:
http://www.census.gov/epcd/www/naicstab.htm
North American Industry Classification System (NAICS)

The North American Industry Classification System (NAICS) has replaced the U.S. Standard Industrial Classification (SIC) system.
Standard Industrial Classification (SIC) code for your facility:
1. Go to: www.osha.gov/oshstats/sicser.html .
2. Enter key word(s) in text box.
3. Click Submit.
4. Select most appropriate SIC for your facility.

Wholesale Trade, Nondurable Goods

Industries in the Wholesale Trade, Nondurable Goods subsector sell or arrange the purchase or sale of nondurable goods to other businesses. Nondurable goods are items generally with a normal life expectancy of less than three years. Nondurable goods wholesale trade establishments are engaged in wholesaling products, such as paper and paper products, chemicals and chemical products, drugs, textiles and textile products, apparel, footwear, groceries, farm products, petroleum and petroleum products, alcoholic beverages, books, magazines, newspapers, flowers and nursery stock, and tobacco products.

The detailed industries within the subsector are organized in the classification structure based on the products sold. Within an industry, the types of establishments may vary, including wholesale merchants and/or agents and brokers.

4227 Petroleum and Petroleum Products Wholesalers 42271 Petroleum Bulk Stations and Terminals
42471 Petroleum Bulk Stations and Terminals
424710 Petroleum Bulk Stations and Terminals
This industry comprises establishments with bulk liquid storage facilities primarily engaged in wholesaling crude petroleum and petroleum products, including liquefied petroleum gas.

NAICS-2012	SIC	Corresponding Index Entries
424710	5171	Bulk gasoline stations
424710	5171	Bulk stations, petroleum
424710	5171	Crude oil terminals
424710	5171	Fuel oil bulk stations and terminals
424710	5171	Gasoline bulk stations and terminals
424710	5171	Liquefied petroleum gas (LPG) bulk stations and terminals
424710	5171	Lubricating oils and greases bulk stations and terminals
424710	5171	Oil, petroleum, bulk stations and terminals
424710	5171	Petroleum and petroleum products bulk stations and terminals
424710	5171	Propane bulk stations and terminals
424710	5171	Terminals, petroleum

42472 Petroleum and Petroleum Products Wholesalers (except Bulk Stations and Terminals)
422720 Petroleum and Petroleum Products Wholesalers (except Bulk Stations and Terminals) This industry comprises establishments primarily engaged in wholesaling petroleum and petroleum products (except from bulk liquid storage facilities).

NAICS	SIC	Corresponding Index Entries
424720	5172	Crude oil wholesaling (except bulk stations, terminals)
424720	5172	Fuel oil truck jobbers
424720	5172	Fuel oil wholesaling (except bulk stations, terminals)
424720	5172	Fueling aircraft (except on contract basis)
424720	5172	Gasoline wholesaling (except bulk stations, terminals)
424720	5172	Liquefied petroleum gas (LPG) wholesaling (except bulk stations, terminals)
424720	5172	Lubricating oils and greases wholesaling (except bulk stations, terminals)
424720	5172	Oil, petroleum, wholesaling (except bulk stations, terminals)
424720	5172	Petroleum and petroleum products wholesaling (except bulk stations, terminals)
424720	5172	Petroleum brokers

454 Nonstore Retailers
Industries in the Nonstore Retailers subsector retail merchandise using methods, such as the broadcasting of infomercials, the broadcasting and publishing of direct-response advertising, the publishing of paper and electronic catalogues, door-to-door solicitation,
in-home demonstration, selling from portable stalls and distribution through vending machines. Establishments in this subsector include mail-order houses, vending machine operators, home delivery sales, door-to-door sales, party plan sales, electronic shopping, and sales through portable stalls (e.g., street vendors, except

food). Establishments engaged in the direct sale (i.e., nonstore) of products, such as home heating oil dealers, newspaper delivery are included in this subsector.

4543 Direct Selling Establishments--4543 Fuel Dealers

This industry group comprises establishments primarily engaged in nonstore retailing (except electronic, mail-order, or vending machine sales). These establishments typically go to the customers' location rather than the customer coming to them (e.g., door-to-door sales, home parties). Examples of establishments in this industry are home delivery newspaper routes; home delivery of heating oil, liquefied petroleum (LP) gas, and other fuels; locker meat provisioners; frozen food and freezer meal plan providers; coffee-break service providers; and bottled water or water softener services.

This industry comprises establishments primarily engaged in retailing heating oil, liquefied petroleum (LP) gas, and other fuels via direct selling.

454310 Heating Oil Dealers

This U.S. industry comprises establishments primarily engaged in retailing heating oil via direct selling.

NAICS	SIC	Corresponding Index Entries
454310	5983	Fuel oil (i.e., heating) dealers, direct selling
454310	5983	Heating oil dealers, direct selling

454310 Liquefied Petroleum Gas (Bottled Gas) Dealers

This U.S. industry comprises establishments primarily engaged in retailing liquefied petroleum (LP) gas via direct selling.

NAICS	SIC	Corresponding Index Entries
454310	5984	Bottled gas dealers, direct selling
454310	5984	Liquefied petroleum gas (LPG) dealers, direct selling

447 Gasoline Stations

Industries in the Gasoline Stations subsector group establishments retailing automotive fuels (e.g., gasoline, diesel fuel, and gasohol) and automotive oils and retailing these products in combination with convenience store items. These establishments have specialized equipment for the storage and dispensing of automotive fuels.

4471 Gasoline Stations

44711 Gasoline Stations with Convenience Stores

447110 Gasoline Stations with Convenience Stores

This industry comprises establishments engaged in retailing automotive fuels (e.g., diesel fuel, gasohol, gasoline) in combination with convenience store or food mart items. These establishments can either be in a convenience store (i.e., food mart) setting or a gasoline station setting. These establishments may also provide automotive repair services.

NAICS	SIC	Corresponding Index Entries
447110	5411	Convenience food with gasoline stations
447110	5541	Gasoline stations with convenience stores
447110	5541	Gasoline with convenience stores

44719 Other Gasoline Stations

447190 Other Gasoline Stations

This industry comprises establishments known as gasoline stations (except those with convenience stores) primarily engaged in one of the following: (1) retailing automotive fuels (e.g., diesel fuel, gasohol, gasoline) or (2) retailing these fuels in combination with activities, such as repair services, selling automotive oils, replacement parts, and accessories, and/or with restaurants.

NAICS	SIC	Corresponding Index Entries
447190	5541	Gasoline stations without convenience stores

447190	5541	Marine service stations
447190	5541	Service stations, gasoline
447190	5541	Truck stops

493 Warehousing and Storage

Industries in the Warehousing and Storage subsector are primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other warehouse products. These establishments provide facilities to store goods. They do not sell the goods they handle. These establishments take responsibility for storing the goods and keeping them secure. They may also provide a range of services, often referred to as logistics services, and related to the distribution of goods. Logistics services can include labeling, breaking bulk, inventory control and management, light assembly, order entry and fulfillment, packaging, pick and pack, price marking and ticketing, and transportation arrangement. However, establishments in this industry group always provide warehousing or storage services in addition to any logistic services. Furthermore, the warehousing or storage of goods must be more than incidental to the performance of services, such as price marking.

Bonded warehousing and storage services and warehouses located in free trade zones are included in the industries of this subsector.

4931 Warehousing and Storage

49311 General Warehousing and Storage 493110 General Warehousing and Storage

This industry comprises establishments primarily engaged in operating merchandise warehousing and storage facilities. These establishments generally handle goods in containers, such as boxes, barrels, and/or drums, using equipment, such as forklifts, pallets, and racks. They are not specialized in handling bulk products of any particular type, size, or quantity of goods or products.

NAICS	SIC	Corresponding Index Entries
493110	4225	Bonded warehousing, general merchandise
493110	4225	General warehousing and storage
493110	AUX	Private warehousing and storage, general merchandise
493110	4225	Public warehousing and storage (except self storage), general merchandise
493110	4226	Warehousing (including foreign trade zones), general merchandise
493110	4225	Warehousing and storage, general merchandise
493130	4221	Public warehousing and storage, farm products (except refrigerated)
493130	4221	Warehousing, farm products (except refrigerated)

49319 Other Warehousing and storage

493190 Other Warehousing and Storage

This industry comprises establishments primarily engaged in operating warehousing and storage facilities (except general merchandise, refrigerated, and farm product warehousing and storage).

NAICS	SIC	Corresponding Index Entries
493190	4226	Automobile dead storage
493190	4226	Bonded warehousing (except farm products, general merchandise, refrigerated)
493190	4226	Bulk petroleum storage
493190	4226	Lumber storage terminals
493190	4226	Private warehousing and storage (except farm products, general merchandise, refrigerated)
493190	4226	Public warehousing and storage (except farm products, general merchandise, refrigerated, self storage.
493190	4226	Warehousing (except farm products, general merchandise, refrigerated)

493190	**4226**	**Whiskey warehousing**

Primary SIC/NAICS Code Determination:

Assuming your facility has several establishments with different NAICS-SIC codes that are owned or operated by the same entity, you will need to determine if your facility has a primary NAICS-SIC code that is subject to different regulations.

- **The total value (taxes excluded) of the products shipped or services provided at establishments with covered SIC-NAICS codes is greater than 50% of the value of the entire facility's products and services; OR**
- **Your facility may include multiple establishments that have different NACIS-SIC Codes. A multi-establishment facility is a facility that consists of two or more distinct and separate economic units. If your facility is a multi-establishment facility, calculate the value of the products produced, shipped, or services provided from each establishment within the facility and then use the largest revenue generator to see if your facility meets the SIC-NAICS Code criterion, or as some in the industry have said, "the valve of the sales from all other (non-regulated NACIS-SIC Codes) activities combined" must be greater than 50% to be a non SIC 5171 facility.**

Example-Primary SIC/NAICS Code: A facility is made up of four establishments on the same property. The first establishment, a petroleum bulk storage operation, which has 100,000 gallons of storage capacity, is in SIC code 5171 and is regulated under EPCRA Section 313. The second establishment, a petroleum products wholesaler, which means establishments primarily engaged in the wholesale distribution of petroleum products *without bulk liquid storage facilities*, is SIC code 5172, and is not within an SIC code covered by EPCRA Section 313. The third establishment is made up of a bulk heating oil retailer, SIC code 5983, and stores 50,000 gallons of heating oil, and is not within an SIC code covered by EPCRA Section 313. The fourth establishment, a convenience store, SIC code 5541, and is not within an SIC code covered by EPCRA Section 313. The facility then determines that the value added by the petroleum products wholesaler (5172) is worth $1,500,000/year, whereas the value of the petroleum bulk storage operation (5171) is $1,000,000/year, the value of the heating oil retailer (5983) is $250,000/year, and the valve of the convenience store (5541) is $1,500,000/year. The value of the covered establishment, SIC 5171, is less than 50% of the facility's value; therefore, the primary SIC code determination is such that the entire facility is not subject to EPCRA Section Bulk Plant facilities with SIC code 5171 are defined as facilities that must comply with the reporting requirements of EPCRA Section 313 (TRI).

POSSIBLE ERROR - Multi-Establishment Facilities

In the above example, the "multi-establishment" facility should not overlook the EPCRA Section 313 chemicals in the petroleum products at the petroleum products wholesaler operations. Once your facility meets the SIC code and employee threshold criteria, facility personnel are required to consider all non- exempt activities in all establishments in its threshold and release and other waste management calculations. To determine the value of production or service attributable to a particular establishment, you can subtract the product or service value obtained from other establishments from the total product or service value of the facility. This procedure eliminates the potential for "double counting" production or service in situations where establishments are engaged in sequential production activities at a single facility.

Auxiliary Facilities: Some companies may own and/or operate a non-contiguous and non-adjacent facility that primarily supports a covered EPCRA Section 313 facility.
These auxiliary facilities assume the SIC code of a covered facility that it directly supports. For example, an off-site warehouse that directly supports a covered petroleum bulk terminal (SIC code 5171) must assume the SIC code 5171 itself. For the purposes of EPCRA Section 313, auxiliary facilities must be engaged in performing support services for another facility or establishment within a covered facility. Therefore, if an auxiliary facility's primary function is to support/service a covered petroleum bulk storage facility, the auxiliary facility may assume the SIC code of the main facility and may then be covered by the EPCRA Section 313 reporting requirements for purposes of the facility's SIC code.

Example - Auxiliary Facilities: A retail gas station sells only products supplied by one covered bulk petroleum station. Is the retail gas station considered an auxiliary facility and therefore does

it take on the covered SIC code of the bulk petroleum station? No. While the retail gas station sells only products supplied by the covered bulk petroleum station it is not an auxiliary facility because it does not support the operation of the bulk petroleum station (i.e., the retail sale of gasoline and other petroleum products is a distinctly separate activity that benefits the gas station.)

How to Change Your SIC Code: Bulk Plant facilities with SIC code 5171 are defined as establishments primarily (majority of monies made) engaged in selling merchandise to retailers of petroleum and petroleum products including LPG. If your facility does not meet the over 50% petroleum criteria, then you are not an SIC 5171 and could be an SIC 5983; bulk heating oil retailer, SIC 5984; LPG bottled gas dealer, SIC 4225; general warehouse and storage (non-bulk lube oil), SIC 5172; petroleum wholesaler, where most of the product is purchased at a terminal and then delivered to a customers site and SIC 5541; gasoline service station or convenience store. It would be in your best interest to confirm if, indeed, your facility is SIC 5171.

For example, an office located at a petroleum bulk plant facility, supports a marketer's on-site c-store operations (same facility) and, therefore, earns more money than the bulk plant activity alone. Under this example, the primary SIC code for this facility would be SIC 5541 gasoline service station or c-store and would be exempt from the TRI reporting. Another example would be that the bulk petroleum plant generates over 50% of its monies from retail sale of bulk petroleum, such as the sale of heating oil, this would be a SIC 5983. Other SIC codes apply for different applications.

To change you're SIC code, simply do an analysis of monies generated with your banker, accountant, or insurance agent and document this. Once your have decided which SIC code you should be, simply start changing documents as they are required. This is no notification or government paper work to fill out, this simply requires internal documentation

US EPA TIER TWO INSTRUCTIONS

GENERAL INFORMATION

Submission of this Tier Two form (when requested) is required by Title III of the Superfund Amendments and Reauthorization Act of 1986, 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.

Attachments

Site plans are optional. The best size is 8½" x 11," but slightly larger will be accepted. Do not send blue prints. Due to filing and storage limitations, *do not send SDSs* (their submission is optional anyway).

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. On the first page of the Tier Two report, enter your full name and official title. Sign your name and enter the current date. Also, enter the total number of pages included in the Confidential and Non-Confidential Information Sheets as well as all attachments. An original signature is required on at least the first page of the submission. Submissions to the SERC, LEPC, and fire department must each contain an original signature on at least the first page. Subsequent pages must contain either an original signature, a photocopy of the original signature, or a signature stamp. Each page must contain the date on which the original signature was affixed to the first page of the submission and the total number of pages in the submission.

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

This form may also be used as a worksheet for completing the Tier One form or may be submitted in place of the Tier One form.

WHO MUST SUBMIT THIS FORM

Section 312 of Title III requires that the owner or operator of a facility submit their Tier Two form if so requested by a State emergency response commission, a local

emergency planning committee, or a fire department with jurisdiction over the facility. This request may apply to the owner or operator of any facility that is required, under regulations implementing the Occupational Safety and Health Act of 1970, to prepare or have available a Material Safety Data Sheet (SDS) for a hazardous chemical present at the facility. SDS requirements are specified in the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard, found in Title 29 of the Code of Federal Regulations at x1910.1200.

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

WHAT CHEMICALS ARE INCLUDED

If you are submitting Tier Two forms in lieu of Tier One, 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 Title III. Hazardous chemicals are any substance for which your facility must maintain an SDS under OSHA's Hazard Communication Standard. If you elect to submit Tier One rather than Tier Two, you may still be required to submit Tier Two information upon request.

WHAT CHEMICALS ARE EXCLUDED

Section 311(e) of Title III 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 sub-stance 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 SDS.

REPORTING THRESHOLDS

Minimum thresholds have been established for Tier One/ Tier Two reporting under Title III, Section 312. These thresholds are as follows: For Extremely Hazardous Substances (EHSs) designated under Section 302 of Title III, 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 SDS, the minimum reporting threshold is 10,000 pounds (or 4.540 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?" in these instructions.

A requesting official may limit the responses required under Tier Two by specifying particular chemicals or groups of chemicals. Such requests apply to hazardous chemicals regardless of established thresholds.

INSTRUCTIONS

Please read these instructions carefully. Print or type all responses.

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 either Tier One or Tier Two forms by March 1 every year.

If you choose to submit Tier One, rather than Tier Two, be aware that you may have to submit Tier Two Information later, upon request of any authorized official.

You must submit the Tier Two form within 30 days of receipt of a written request.

WHERE TO SUBMIT THIS FORM

Send either a completed Tier One form or Tier Two form(s) to each of the following organizations: Most States Require online reporting.

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

If a Tier Two form is submitted in response to a request, send the completed form to the requesting agency.

PENALTIES

Any owner or operator who violates any Tier Two reporting requirements shall be liable to the United States for a civil penalty of ranging from $10,000-$75,000 per violation or per day per violation 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 North American Industry Classification System (NAICS) code and the Dun & Bradstreet number for your facility. The financial officer of your facility should be able to provide the Dun & Bradstreet number. If your firm does not have this information, contact the State or regional office of Dun & Bradstreet to obtain your facility number or have one assigned.

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, located below the emergency contacts on the Tier Two form, 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.

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CHEMICAL DESCRIPTION

1. Enter the Chemical Abstract Service registry number (CAS). 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 Title III, 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 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.

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

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

4. 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, Oxidizer, Pyrophoric
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 Codes	Weight Range in Pounds Value 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**

If you are using this form as a worksheet for completing Tier One, enter the actual weight in pounds in the shaded space below the response blocks. Do this for both Maximum Amount and Average Daily Amount. Form Approved OMB No. 2050- 0072

EXAMPLE:

You received one large shipment of a solvent mixture last year. The shipment filled five 5,000-gallon storage tanks. You know that the solvent contains 10% benzene, which is a hazardous chemical. You figure that 10% of 25,000 gallons is 2,500 gallons. You also know that the density of benzene is 7.29 pounds per gallon, so you multiply 2,500 gallons by 7.29 pounds per gallon to get a weight of 18.225 pounds. Then you look at Table I and find that the range value 04 corresponds to

You enter 04 as the Maximum Amount. (If you are using the form as a worksheet for completing a Tier One form, you should write 18.255 in the shaded area.)

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 25,000-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 4,536,000 gallons. By dividing 4,536,000 gallons by 315 days on-site, you calculate an average daily amount of 14,400 gallons. You already know that the solvent contains 10% benzene, which is a hazardous chemical. Since 10% of 14,400 is 1,440, you figure that you had an average of 1,440 gallons of benzene. You also know that the density of benzene is 7.29 pounds per gallon, so you multiply 1,440 by
7.29 to get a weight of 10,500 pounds. Then you look at Table I and find that the range value 04 corresponds to 10,500. You enter 04 as the Average Daily Amount. (If you are using the form as a worksheet for completing Tier One form, you should write 10,500 in the shaded area.)

NUMBER OF DAYS ON-SITE

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

EXAMPLE:

The solvent composed of 10% benzene 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	Codes	Types of Storage
A	Aboveground tank	J	Bag
B	Belowground tank	K	Box
C	Tank inside building	L	Cylinder
D	Steel drum	M	Glass bottles or jugs
E	Plastic or non-metallic drums	N	Plastic bottles or jugs
F	Can	O	Tote Bin
G	Carboy	P	Tank wagon
H	Silo	Q	Rail Car
I	Fiber drum	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 benzene 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 Form Approved OMB No. 2050-0072

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 benzene 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 Title III, 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 three of these instructions.

END TIER II INSTRUCTIONS

EXAMPLE PETROLEUM BULK PLANT TIER II FORM ON NEXT PAGE

Tier Two EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY

Specific Information by Chemical

Code

Facility Identification

Name **Mayberry Oil Company**

Street **400 Zesty Road**

City **Mayberry** County **Wake** State **NC** Zip **27603**

NAICS **454311** Dun & Brad Number **12-345-6789**

FOR OFFICIAL USE ONLY

ID #

Date Received

Owner/Operator Name

Name **B. F. Fife** Phone **(919) 782-4411**

Mail Address **PO Box 4000**

Mayberry, NC 27603

Emergency Contact

Name **B. F. Fife** Title **President**

Phone **(919) 782-4411** 24 Hr. Phone **(800) 123-4567**

Name **Andrew Griffin** Title **Vice-President**

Phone **(919) 782-4411** 24 Hr. Phone **(800) 123-4567**

Important: Read all instructions before completing form

Reporting Period From January 1 to December 31, 20 02

[X] Check if information below is identical to the information submitted last year.

Chemical Description	Physical and Health Hazards *(check all that apply)*	Inventory (Non-Confidential) *Storage Locations*	Container Type	Pressure	Temperature	Storage Codes and Locations	Optional
Trade CAS **8006-61-9** Secret ____ Chem. Name **Gasoline** of Pressure *Check all* [ ] [X] [ ] [X] [ ] [ ] *that apply* Pure Mix Solid Liq. Gas EHS EHS Name	[X] Fire [ ] Sudden Release [ ] Reactivity [X] Immediate (acute) [X] Delayed (chronic)	Max. Daily Amount (code) 0 4 Avg. Daily Amount (code) 0 4 No. of Days On-site (days) 3 6 5	B B	1 1	4 4	**Bulk Plant Yard**	[ ]
Trade CAS **68476-30-2** Secret ____ Chem. Name **Diesel** *Check all* [ ] [X] [ ] [X] [ ] [ ] *that apply* Pure Mix Solid Liq. Gas EHS EHS Name	[X] Fire [ ] Sudden Release of Pressure [ ] Reactivity [X] Immediate (acute) [X] Delayed (chronic)	Max. Daily Amount (code) 0 5 Avg. Daily Amount (code) 0 5 No. of Days On-site (days) 3 6 5	A A	1 1	4 4	**Bulk Plant Yard**	[ ]
Trade CAS **8008-20-6** Secret ____ Chem. Name **Kerosene** *Check all* [ ] [X] [ ] [X] [ ] [ ] *that apply* Pure Mix Solid Liq. Gas EHS EHS Name	[X] Fire [ ] Sudden Release of Pressure [ ] Reactivity [X] Immediate (acute) [X] Delayed (chronic)	Max. Daily Amount (code) 0 5 Avg. Daily Amount (code) 0 5 No. of Days On-site (days) 3 6 5	A	1	4	**Bulk Plant Yard**	[ ]

Certification ***(Read and sign after completing all sections)***

I certify under penalty of law that I have personally examined and am familiar with the information submitted in pages one through **one** **2002**, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

B. F. Fife	***B.F.Fife***	**2-18-02**
Name and official title of owner/operator OR owner/operator's authorized representative	Signature	Date signed

Optional Attachments

[ ] I have attached a site plan

[ ] I have attached a list of site coordinate abbreviations

[ ] I have attached a description of dikes and other safeguards measures

CONCLUSION:

The US EPA and Homeland Security require Hazardous Chemical storage facilities to report to the states and other local agencies about the types, locations and quantity of said hazardous chemicals. The community/public has a "right to know" the proximity of said chemicals in their local environs.

Each submitted Tier I or II report with the community emergency response plan, are made available to the public at a designated location during normal working hours. Each local emergency planning committee (LEPC) must publish annually a notice in local newspapers that the above forms have been submitted and are open to public viewing at the designated location.

February 29, 2016