

## NEW Tier II Hazard Categories: What You Need to Know Before You Report



By  
Cheryl Moran

Project Manager

SCS Engineers

There will be a significant change to how you report chemical hazards on the Tier II report for calendar year 2017, which is due no later than March 1, 2018. Here's what you need to know about the changes to stay in compliance and meet your reporting deadline.

### What's New?

Facilities that are required to submit a Tier II report must update chemical hazard information. Where there were previously five hazard categories, there are now 24.

### Background

A Tier I or Tier II report is required for certain facilities by Section 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA) under Title III of the Superfund Amendments and Reauthorization Act (SARA). Most states require the Tier II report because it has more detailed chemical information. The report is intended to provide information about chemical hazards to planning and response agencies.

You will report on the types and amounts of extremely hazardous substances (EHS) and hazardous chemicals that could be present at a facility. Note that for the purpose of Section 312, "hazardous chemical" is defined as any chemical or mixture for which the Occupational Safety and Health Administration (OSHA) requires a safety data sheet (SDS). Emergency responders use this information to prepare to respond to incidents at the facility.

In March of 2012, OSHA revised the Hazard Communication Standard to align with the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS). There were deadlines for manufacturers, importers, and distributors to update labels, warnings, and pictograms used to communicate hazards; information formerly communicated through Material Safety Data Sheets (MSDS) transitioned to Safety Data Sheet (SDS) format. Implementation of the GHS was completed on June 1, 2016, when employers were required to be fully in compliance.

Now that the final deadline has passed, the U.S. Environmental Protection Agency (USEPA) has mandated that the revised hazard classifications be identified on the Tier II report. This will allow uniformity between chemical facilities

and responders; we will all be speaking the same language when referring to chemical hazards.

### Out with the Old and In with the New

"Out" are the five previous categories of fire, sudden release of pressure, reactivity, acute health hazard, and chronic health hazard.

"In" are the 24 new categories, classified as either physical or chemical hazards.

### Physical Hazards

- Combustible dust
- Corrosive to metal
- Explosive
- Flammable (gases, aerosols, liquids, or solids)
- Gas under pressure
- Physical hazard not otherwise classified
- In contact with water emits flammable gas
- Organic Peroxide
- Oxidizer (liquid, solid, or gas)
- Pyrophoric (liquid or solid)
- Pyrophoric gas
- Self-heating
- Self-reactive

### Health Hazards

- Acute toxicity
- Aspiration hazard
- Carcinogenicity
- Germ cell mutagenicity
- Health hazard not otherwise classified
- Reproductive toxicity
- Respiratory or skin sensitizer
- Serious eye damage or eye irritation
- Simple asphyxiant
- Skin corrosion or irritation
- Specific target organ toxicity (single or repeated exposure)

---

## Where do You Find Hazard Information?

Section 2 of the SDS identifies chemical hazards using the 24 new hazard categories; this is the best place to locate the hazards for reporting.

Note that Section 15 of the SDS is for regulatory information. Many manufacturers and importers have not yet updated Section 15 to reflect the 24 new categories under the SARA 312 heading, but you may want to remember to look there as well for future reporting years.

## Are You Required to File a Tier II Report?

Did your facility have at least 10,000 pounds of a hazardous chemical on site at any one time in the previous calendar year? Did you have any EHS that exceeded the lower of the Threshold Planning Quantity (TPQ) or 500 pounds on site at any one time? Are you a petroleum retailer with more than 75,000 gallons of gasoline or 100,000 gallons of diesel fuel on site? If you answered “yes” to any of these questions, then this report is for you.

USEPA’s List of Lists can help you determine which chemicals at your facility are considered EHS. These are listed, along with their TPQ, in the Section 302 column.

**“For more information about Tier II reporting, attend GLGA’s FREE member webinar on February 1, 2018.”**

## How Do You Report?

File the Tier II report with your State or Tribal Emergency Response Commission (SERC or TERC), your Local Emergency Planning Committee (LEPC), and your local fire department.

**Wisconsin.** Wisconsin’s SERC is Wisconsin Emergency Management (WEM). Report directly through WEM’s reporting portal, Wisconsin Hazmat Online Planning and Reporting System (WHOPRS); this information is shared with your LEPC. Check the instructions – some fire departments do not have direct access to state reports, and you may be required to send a copy to them.

**Illinois.** The Illinois Emergency Management Agency (IEMA) only accepts reports online. Follow the instructions for submittal to your LEPC and fire department.

**Indiana.** Use the reporting portal at the Indiana Emergency Response Commission website. Follow the instructions for submittal to your LEPC and fire department.

## Need More Help?

For more detailed information on Tier II reporting, join GLGA on February 1, 2018, for *Tier II Reporting Basics and Beyond: EPA Assimilation of GHS Hazard Categories*. This webinar is free for GLGA members.

*Cheryl Moran is a Project Manager with SCS Engineers with more than 20 years of experience in the printing industry. She is a Certified Hazardous Materials Manager (CHMM) and has worked with air, water, and waste issues including permitting, environmental recordkeeping, reporting and monitoring programs, hazardous waste management, environmental compliance audits, and sustainability programs. For more information contact Cheryl Moran (cmoran@scsengineers.com) at SCS Engineers in Madison, WI, or Ann O’Brien (aobrien@scsengineers.com) at SCS Engineers in Chicago, IL.*