

Tier II Chemical Information

Know Your EHSs

One of the triggers for submitting a Tier II report is if your facility used or stored a hazardous chemical that is a listed extremely hazardous substance (EHS) at any one time in an amount greater than 500 pounds (lb) or that chemical's threshold planning quantity (TPQ), whichever is less. The EHS list and the TPQs are found alphabetically in 40 CFR 355 Appendix A, and numerically by Chemical Abstracts Service (CAS) number in 40 CFR 355 Appendix B. There have been revisions to the EHS list since its origination, so make sure you have the most up-to-date list by checking Appendices A or B in the Code of Federal Regulations (CFR) itself.

With the EHS list at your side, review all your safety data sheets (SDSs). Some substances will have their very own SDSs. An example is ammonia. However, for many EHSs, the SDS is for a trade-name chemical mixture. In this case, the list of constituents must be reviewed. If one of the substances from the EHS list is listed as a component, record this information along with its percentage by weight. If the substance is a solid, record any information about its form and particle size.

Note: There are specific calculations for mixtures that apply to not only EHSs but also to all the hazardous chemicals at your facility. If a hazardous chemical is part of a mixture, you have the option of reporting the entire mixture or only the component of the mixture that is a particular hazardous chemical. An EHS that is a component of a mixture must be counted when it is present in excess of 1% (0.1% for carcinogens).

Check All Your SDSs

It is not just the presence of EHSs at your facility that triggers Tier II reporting requirements. Any chemical that requires an SDS must be considered for Tier II reporting. Remember, you are required to submit Tier II reports only for chemicals that require an SDS. In addition to EHSs and their thresholds, the Tier II reporting requirements apply to any hazardous chemical present at a facility in quantities equal to or greater than 10,000 lb (with higher thresholds for certain gasoline and diesel underground storage tanks at retail facilities). Hazardous chemicals are any substances that require a facility to maintain an SDS. The EPA estimates that this applies to approximately 500,000 chemicals.

Review Your Inventory Control Data

Knowing the amount of each chemical at your facility is critical to knowing your Tier II obligations. Key data that can be used to determine inventory include:

- Chemical product inventories;
- Purchase orders;
- Shipping receipts;
- Production records;
- Storage (warehouse) records;
- Tank inventories.
- Chemicals in boilers, tanks, and cooling towers;
- Maintenance chemicals used in large quantities.

Tip 4: Check with Your State

As with a number of environmental regulations, your state may have stricter requirements. Indeed, that may be even more true moving forward as the Trump administration has expressed a preference for less federal environmental oversight. In terms of Tier II reporting, your state may have lower reporting thresholds and additional chemicals covered by the state right-to-know regulations.

Questions? Contact The Redstone Group at 614-763-5034 x7007 or jwilliams@redstonegrp.com