

USG Hazmat Voluntary Notification Process

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT and PUBLIC EMPLOYEE HAZARDOUS CHEMICAL PROTECTION AND RIGHT-TO-KNOW ACT

Among the Environmental Health and Safety regulations that the University System of Georgia (USG) institutions must understand for compliance, there are two program areas that have similar names and scopes but emphasize very different regulatory and compliance guidelines. One is the Environmental Protection Agency (EPA) Emergency Planning and Community Right-to-Know Act (EPCRA). The other is the Georgia Public Employee Hazardous Chemical Protection and Right-to-Know Act (RTK). Both EPCRA and RTK regulations focus on disclosure of information concerning chemicals and the "right to know", and these similarities can cause confusion for USG Health and Safety professionals responsible for maintaining safe workplaces and regulatory compliance. This document serves as guidance and provides a summary of the compliance requirements of both the federal and state regulations and what USG institutions need to do to satisfy the federal and state regulatory requirements and the USG Board of Regents (BOR) requirements.

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ATTACHMENTS

Attachment A

1. EPCRA REGULATORY OVERVIEW

EPCRA focuses on improving public access to chemical information and facilitating state and local emergency preparedness. There are five sections to the EPCRA reporting regulations, Section 302, 304, 311, 312, and 313. Each section has specific requirements that apply in different situations. The requirements of each of these EPCRA sections is described below. There is a flow chart in Attachment A at the end of this document that provides a visual summary of the requirements of each section

The EPCRA regulations are found in 40 CFR 302.10 through 302.15. Each section has specific requirements that apply in different situations. The requirements of each of these EPCRA sections is described below. There is a flow chart in Attachment A at the end of this document that provides a visual summary of the requirements of each section

EPCRA section 304 covers all chemicals at a campus, and there is no exemption for chemicals used for research purposes.

Each institution should conduct a review annually by mid-February. If an institution does not exceed the designated amount for any chemical on the EHS list, or 10,000 pounds for any other chemical, there is no need to file a Tier II report

4. INSTRUCTIONS ON COMPLETING AND FILING TIER II REPORT (E-PLAN)

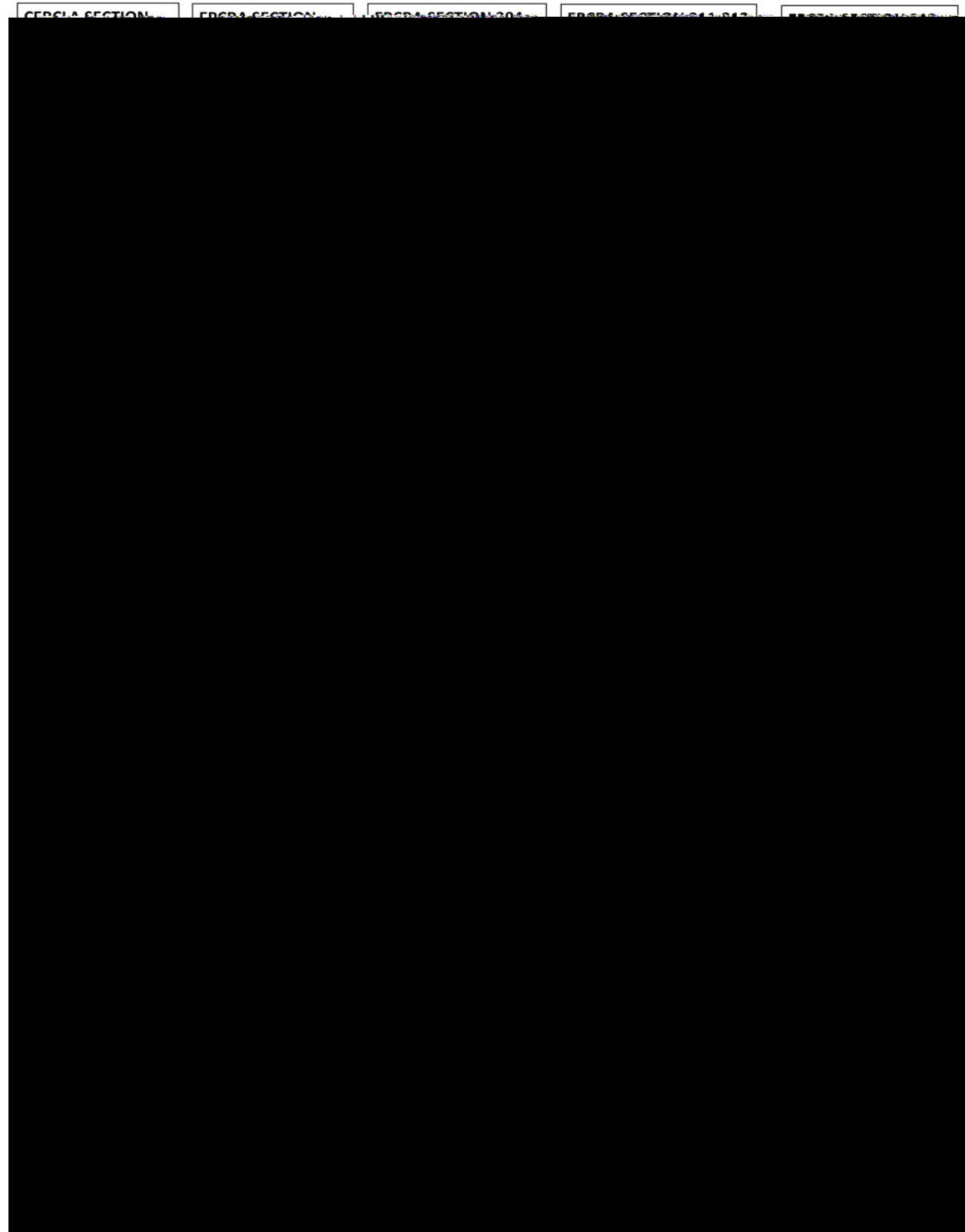
As the SERC, Georgia accepts only electronic filing (E-Plan) for all Tier II reporting. Georgia does not accept Tier II reports via email or postal mail. All Tier II related reports must be uploaded electronically to the E-Plan website at the following website: <https://tier2.erplan.net>. As of 2022, the filing fee is \$25.

How to complete a Tier II report


- Tier II reports are due by March 1 of each year; an institution that does not have any chemicals that exceed the threshold amounts does not need to file a Tier II report; it should document that it has conducted an assessment and does not need to file a report
- Tier II report should include chemical inventories at the campus for the prior calendar year (January 1 – December 31)
- It is not necessary to install any software. Start a submission by going to <https://tier2.erplan.net>. This will bring you to the E-Plan Online Tier II reporting system page.
- If the campus has already established an account, just sign in with the Acc-1.8 (e)0.B3B3B3B3B3B3jAm

- **Chemicals in Inventory module**- enter chemical property, storage information, mixture components, etc.
- Add a **new chemical** to the report by clicking on the appropriate **Add New Chemical** icon shown on the Online Filing Home page
- The Tier II standard is to report any chemical if it fits either of two categories:
 - the quantity of the chemical stored at the campus is at least 10,000 pounds at any one time
 - the chemical is an EHS and the quantity stored at the campus is at least 500 pounds or TPO on the list at 40 CFR 355 A (nd5J4e9 0 Td()Tj-0.008 Tc 0.008e)-9.2 (i)-11.8 c 0.008eGfa.435 0 Td(list)Tj0 Tc 0 Tw

ATTACHMENT A: FLOW CHART OF CERLCA 103 AND EPCRA REPORTING REQUIREMENTS



ATTACHMENT B: EPA MEMO SUMMARIZING TIER II REPORTING OF LEAD ACID BATTERIES

 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 25 2007

OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE

MEMORANDUM

SUBJECT: *Lead Acid Batteries*

FROM: Deborah Y. Dietrich, Director
Office of Emergency Management

TO: Regional Division Directors

Questions have been received from several States regarding the threshold for reporting lead acid batteries under Sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA). These batteries contain both an extremely hazardous chemical (EHS) and other hazardous chemicals. The purpose of this memorandum is to provide guidance for the calculation and reporting of reporting thresholds under Sections 311 and 312 of EPCRA for non-ferrous lead acid batteries, such as those used in telephone switching stations or in forklifts.

BACKGROUND

EPCRA Sections 311 and 312 generally apply to the owner or operator of a facility that must prepare and have available a Material Safety Data Sheet (MSDS) for each chemical as required by the Occupational Safety and Health Act (OSHA) of 1970. EPA's regulations published in 40 CFR Part 355 cover EPCRA reporting requirements for facilities covered by EPCRA. In addition, these regulations provide instructions on how to report if a threshold has been exceeded.

OSHA has determined that lead acid batteries are hazardous chemicals under the definition since there are chemical and physical hazards associated with them. Lead acid batteries have the potential to emit hydrogen gas which is flammable and can cause an explosion. Furthermore, EPA's Directive on Inspection Procedures for the Hazard Communication Section of EPCRA states that lead acid batteries fall under EPCRA because they have the potential to leak, spill, or break during normal conditions of use, including foreseeable emergencies.

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