

General Information

Introduction:

The purpose of this program is to supply state, local officials and the public with information on hazardous chemicals or pesticides present at your facility during the preceding year. This information and the any fees collected, if required, will be used to develop plans and provide training and response equipment to your state, local officials and emergency responders.

Types of Facilities that need to Report:

Federal, State, and Local Government Facilities, Businesses, Non-Profits, Agriculture Based (Class “A” Dealers, Licensed Companies and Non-Commercial Facilities), Rail Companies, Petroleum Based, or any facility that falls under VOSHA regulations.

Typical Chemicals and amounts that need to be Reported:

Fuels such as Gasoline, Diesel Fuel, Kerosene, Fuel Oil- #2 - #6, Propane, and Compressed Natural Gas, in quantities of 10,000 lbs. or more.

Chemicals such as, Argon, Oxygen, CO₂, Acetylene, Nitrogen, Motor Oil, Lubricating Oils, Inks, Paint, Lead, Chlorine, Ammonia, Freon, Road Salt, Sand, Sawdust, Battery Acid, Lead in Batteries, Alcohol, Solvents, Transformer Oils, Windshield Washer Fluid, Pesticides, Fertilizers, Electric Forklift Batteries, Paint Pigment, **used vegetable oil** and similar chemicals in quantities of 100 lbs. or more.

Road Salts – means the chloride salts: sodium chloride (NaCl), calcium chloride (CaCl₂), magnesium chloride (MgCl₂), potassium chloride (KCl), brines used in road deicing/anti-icing, dust suppression, the salt portion of abrasive mixtures and additives commonly used in road salts), in quantities of 100 lbs. or more.

Explosives stored/used –

- any amount of high explosives (ANFO, Dynamite, gels/slurries)
- 100 lbs. or more imitators/blasting caps.

This is just a small list of all the chemicals that need reporting. A “**Flowchart**” is included in this package that will assist in determining whether you need to report. Review the MSDS sheet and the inventory level to determine if the chemical needs to be reported.

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Reportable Amounts:

WHAT AMOUNT OF HAZARDOUS MATERIALS MUST BE REPORTED?

Reportable quantities are shown in "Vermont Table I".

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, based on the total tank/container storage amount.

If you were required to report chemicals in inventory for previous reporting years but did not, you will need to file those chemical reports as well and pay the resulting reporting fees based upon the reporting max daily amount category for each reported chemical.

Please note that reporting must be recorded in pounds (use conversion chart, included in this packet).

Who are exempt from paying FEES?

1. State agencies
2. Municipalities
3. Other political subdivisions
4. Non-profit corporations
5. Agricultural Farm Exemption based on State Statute 10 V.S.A. § 6001 ; (22) "Farming" means:
 - a. the cultivation or other use of land for growing food, fiber, Christmas trees, maple sap, or horticultural and orchard crops; or
 - b. the raising, feeding, or management of livestock, poultry, fish, or bees; or
 - c. the operation of greenhouses; or
 - d. the production of maple syrup; or
 - e. the on-site storage, preparation and sale of agricultural products principally produced on the farm; or
 - f. the on-site storage, preparation, production, and sale of fuel or power from agricultural products or wastes principally produced on the farm; or
 - g. the raising, feeding, or management of four or more equines owned or boarded by the farmer, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

What are the Reporting FEES?

Please note that fees are based upon each reportable weight range per chemical. Fees are to be calculated for each reported material and **NOT** on the aggregate total. Extremely Hazardous Substance (EHS) fee is a separate fee for each EHS reported.

An invoice will be generated for fees owed.

REPORTING FEES (\$) ARE ASSESSED AS OUTLINED IN FEE CHART listed on our website. Please review this Fee Chart to help in determining what the fees will be for each reportable chemical.

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Chemicals Excluded:

Section 11021(e) of EPCRA, 42 USC Chapter 116 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 substance 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. Consumable products (those package's in containers weighing 40 lbs. or less, are not reportable), an example is 1-gallon bottle of a chemical or 1 spray bottle of a chemical;
- V. Any substance to the extent it is used in a research laboratory, a hospital, or other medical facility under direct supervision of a technically qualified individual
- VI. 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.

Penalty:

Any owner or operator who violates any TIER II reporting requirements shall be liable to the United States for a **civil penalty of up to \$ 57,317.00 per day, per violation.**

A person who violates any provision of Vermont statute, Title 20, Ch. 1, shall be fined not more than **\$1,000 for each violation, per day, per violation.**

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 mixture or 5 lbs. of the chemical.)

Because EHS's are important to section 42 USC Chapter 116, Section 11003 planning, EHS's have lower thresholds. The amount of an EHS at a facility (both pure EHS substances and EHS's in mixtures) must be aggregated for the purposes of threshold determination.

General Information Continued

Confidential Information:

Under 42 USC Chapter 116, Section 11044, 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 II form on the first line of the storage locations.
- On a separate TIER II 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 II Confidential Location Information Sheet to the TIER II form. This separates confidential locations from other information that will be disclosed to the public.

General Information Continued

“Vermont Table I”

VERMONT REPORTING REQUIREMENTS AND QUANTITIES

FACILITY	EXTREMELY HAZARDOUS SUBSTANCES (EHS) (EPCRA 42 USC Chapter 116, Sec 11002 & 11004) and ALL OTHER HAZARDOUS CHEMICALS or SUBSTANCES (Sec 3.1 i of this rule) and PESTICIDES	PETROLEUM PRODUCTS AND FUELS (See Definition) Road Salts (See Definition)	KNOWN HUMAN CARCINOGENS	EXPLOSIVES
All facilities handling or storing hazardous chemicals/substances for which an MSDS is required under VOSHA/OSHA Regulations	100 pounds or the Threshold Planning Quantity (TPQ): whichever is lower <i>No MSDS Requirement if MSDS has not changed from previous year.</i>	10,000 pounds or greater <i>No MSDS Requirement</i>	Any amount as defined in VOSHA Regulation 1910.1200(d)	Requiring license by VT Dept. of Public Safety. Any amount ANFO/Dynamite/gel/slurry – any amount Initiator’s – 100 lbs. or greater
Research Laboratories	10 pounds or greater - aggregate of all extremely <u>hazardous substances</u> 100 pounds or greater - aggregate of all other hazardous chemicals or substances <i>No MSDS Requirement if MSDS has not changed from previous year.</i>	10,000 pounds or greater <i>No MSDS Requirement</i>	Any Amount as defined in VOSHA Regulation 1910.1200(d)	Requiring license by VT Dept. of Public Safety. Any amount ANFO/Dynamite/gel/slurry – any amount Initiator’s – 100 lbs. or greater

General Information Continued

REPORTING FEES

Vermont Reporting Fees are as indicated on the fee chart listed on our website. Please follow the flow chart to determine what the respective fees will be for each of your reportable quantities of chemicals.

- "Quantity Reported" is based upon the "Maximum Daily Amount (largest tank size)" of the Inventory section of the reporting form.

* NEW Reporting Fees (2016) will be as follows:

<u>QTY Reported (Pounds)</u>	<u>Fee</u>
100-999	\$40
1,000-9,999	\$60
10,000-99,999	\$100
100,000-999,999	\$290
1,000,000 or greater	\$880

Any Extremely Hazardous Substance (EHS) is \$250 additional for any reportable quantity.

- Conversion Factors (Gallons to Pounds) for some common reportable materials. To obtain pounds, multiply gallons of the liquid of interest by the conversion factor.

<u>CAS#</u>	<u>LIQUID</u>	<u>CONVERSION FACTOR</u>
8006-61-9	Gasoline, all types	6.15
68334-30-5	Diesel Fuel	7.10
8008-20-6	Kerosene	6.82
68476-30-2	#2 Fuel Oil	6.01
68476-31-3	#4 Fuel Oil	7.70
68476-33-5	#6 Fuel Oil	8.00
Mixture	Motor Oil	7.30
74-98-6	Propane, L.P. Gas	4.20
	Unknown Liquids	9.00

NOTE: Specific information concerning other reportable materials may be obtained from the Safety Data Sheet (SDS) or from the manufacturer/supplier.

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Tier II Instructions Report

FACILITY IDENTIFICATION:

Enter the full name of your facility (and company identifier where appropriate). Enter the E-911 addressing for the facility and mailing address if different. Other identifiers that describe the physical location of your facility if E-911 address information is not available. Provide a general phone number for your facility.

Indicate if the facility is manned or unmanned. If the facility is manned at least part of the day, check the box “manned”. The box “unmanned” should only be checked if the facility is never manned. This information is useful for state and local emergency planners to include people at your facility in the emergency response plan and for planning evacuation during an emergency.

Estimate the maximum number of occupants that may be present at any one time at your facility. If the facility is manned at least part of a day, indicate the number of persons present. This information is useful for state and local emergency planners and responders in the emergency plan and for planning evacuation during an emergency. You should include contractors, vendors and people that may be present for any training or other events as well as employees. If the location is never manned, check the box marked “N/A”.

Enter the primary North American Industry Classification System (NAICS) Code, this can be found at the following website - <https://www.naics.com/search/> .

Enter Dun & Bradstreet Number for your facility. If your firm does not have a Dun & Bradstreet number, it can be obtained from Dun & Bradstreet (website to look up your DUNNs # - <https://www.dnb.com/duns-number/lookup.html> .

Enter the Latitude and Longitude coordinates for your facility (Google Maps website – <https://www.google.com/maps>)

SUBJECT TO EMERGENCY PLANNING

Indicate if your facility is subject to the emergency planning notification requirement under EPCRA section 302, codified in 40 CFR part 355. Check the box “yes” or “no”. This is “YES” if you have any EHS Chemicals.

SUBJECT TO CHEMICAL ACCIDENT PREVENTION

Indicate if your facility is subject to chemical accident prevention provisions under section 112(r) of the Clean Air Act, also known as the Risk Management Program (RMP), codified in 40 CFR part 68. Check the box “yes” or “no”, if the chemical is listed with an amount is listed in the EPA List of Lists in the CERCLA and/or CAA 112(r) column.

IDENTIFICATION NUMBER UNDER THE TOXIC RELEASE INVENTORY (TRI) PROGRAM

If your facility is subject to the Toxic Release Inventory (TRI) program under section 313 of EPCRA, provide the identification number assigned by EPA. If your facility is not subject to this reporting requirement or if your facility has not been assigned a number under this program, check the box marked “N/A”.

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IDENTIFICATION NUMBER UNDER THE RISK MANAGEMENT PROGRAM (RMP)

If your facility is subject to the chemical accident prevention provisions codified in 40 CFR part 68, also known as the Risk Management Program, provide the RMP facility identification number assigned by EPA. If your facility is not subject to this provision or if your facility has not been assigned a number, check the box marked "N/A". This would be required if your facility has any EHS chemicals.

OWNER/OPERATOR NAME:

Enter the owner's or operator's full name, mailing address and phone number.

PARENT COMPANY

Enter the name, mailing address, phone number, email address and Dun & Bradstreet number of the parent company. *Note: These are optional data elements.*

FACILITY EMERGENCY COORDINATOR

Enter the name, title, email address, phone number and 24-hour phone number of the facility emergency coordinator.

Note: This data element is only applicable to facilities subject to EPCRA section 302(c) emergency planning notification. Section 303(d)(1) of EPCRA requires facilities subject to the emergency planning notification requirement under Section 302(c) to designate a facility representative who will participate in the local emergency planning process as a facility emergency coordinator. This data element is also applicable to additional facilities designated by the Governor or the SERC under EPCRA section 302(b)(2)). EPA encourages facilities not subject to the emergency planning notification requirement also to provide this information, for effective emergency planning in your community.

EMERGENCY CONTACT:

Enter name, title, work telephone number, and an emergency telephone number of at least one local person or office where emergency information that might be needed by Emergency Responders responding to a chemical accident at the facility can be obtained 24 hours a day.

This requirement is mandatory and must contain a 24-hour number and work number, as a minimum. The facility must make some arrangement to ensure that a 24-hour contact is available.

REPORTING PERIOD:

The current reporting year is for Calendar Year 2021, January 1, 2021 to December 31, 2021.

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IDENTICAL INFORMATION:

Check box if current information is identical to last year. This will assist our office in updating our database. Chemical descriptions, hazards, amounts, and locations **MUST** be filled in on this year's form, even if the information is identical to that submitted for the previous reporting year.

CHEMICAL DESCRIPTION:

1. (CAS) - Chemical Abstract Service Registry Number. For mixtures, enter the CAS number of the mixture has been assigned a number distinct from its contents. For a mixture that has **NO** CAS number, leave this item blank or report the CAS numbers of as many constituent chemicals as possible.

2. Trade Secret - Requests for Trade Secret Confidentiality must meet the requirements of EPCRA 42 USC Chapter 116, Sec. 11042, Trade Secrets.

3. Chemical Name - Enter the chemical name or common name of each hazardous chemical.

4. Check Box for All Applicable Descriptors - Pure or Mixture; and Solid, Liquid, or Gas; and whether the chemical is or contains an (EHS) Extremely Hazardous Substance.

5. EHS Name - Enter the EHS Name. If the chemical is a mixture containing an EHS, enter the chemical name of each EHS in the mixture.

PHYSICAL AND HEALTH HAZARDS

For each chemical you have reported, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 CFR 370.66. The physical and health hazards are defined in the OSHA Hazard Communication Standard, 29 CFR 1910.1200, which EPA has adopted in a Federal Register notice on June 13, 2016 (81 FR 38104). See also the correction notice published on July 22, 2016 (81 FR 47311).

This information can be found in Section 2 of the Safety Data Sheet for the chemical being reported.

These Federal Register notices and the fact sheet are available online:

[https://www.epa.gov/epcra/epcra-non-section-313-amendments-and-guidance#technical amendment](https://www.epa.gov/epcra/epcra-non-section-313-amendments-and-guidance#technical%20amendment)

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Check all the boxes that apply to each of the chemical that you are reporting on the Tier II form.

Table 1. Physical and Health Hazards

Physical Hazards	Health Hazards
Flammable (gases, aerosols, liquids, or solids)	Carcinogenicity
Gas under pressure	Acute toxicity (any route of exposure)
Explosive	Reproductive toxicity
Self-heating	Skin Corrosion or Irritation
Pyrophoric (liquid or solid)	Respiratory or Skin Sensitization
Oxidizer (liquid, solid or gas)	Serious eye damage or eye irritation
Organic peroxide	Specific target organ toxicity (single or repeated exposure)
Self-reactive	Aspiration Hazard
Pyrophoric gas	Germ cell mutagenicity
Corrosive to metal	Simple Asphyxiant
In contact with water emits flammable gas	Hazard Not Otherwise Classified (HNOC)
Combustible Dust	
Hazard Not Otherwise Classified (HNOC)	

INVENTORY:

Maximum Daily

1. For each hazardous chemical, determine what is the maximum capacity of the storage tank/cylinder/vessel in gallons.
2. Multiply the gallons x the conversion factor to determine the maximum storage in pounds.
3. Find the appropriate range value code in TABLE I.
4. Enter this range value as the maximum amount

Average Daily

1. For each hazardous chemical, estimate the average daily amount capacity of the storage tank/cylinder/vessel in gallons.
2. Multiply the gallons x the conversion factor to determine the maximum storage in pounds.
3. Find the appropriate range value code in TABLE I.
4. Enter this range value as the maximum amount

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Number of Days of Site:

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

TABLE I - Reporting Ranges

<u>Category</u>	<u>Range in pounds</u>
01	0 99
02	100 499
03	500 999
04	1,000 4,999
05	5,000 9,999
06	10,000 24,999
07	25,000 49,999
08	50,000 74,999
09	75,000 99,999
10	100,000 499,999
11	500,000 999,999
12	1,000,000 9,999,999
13	10,000,000 Greater than 10 million

STORAGE TYPES AND CONDITIONS

Enter the types and conditions of storage for each chemical that you are reporting.

- a. *Table II.* This table lists examples of some of the common storage types that facilities use at their site. **You may provide a detailed description for the storage type at your facility.**
- b. *Table III.* For each location, find the appropriate storage types for pressure and temperature conditions. **You may provide a description for the various conditions at your facility.**

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Table II - STORAGE TYPES

Above ground tank
Below ground tank
Tank inside building
Steel drum
Plastic or non-metallic drum
Can
Carboy
Silo

Fiber drum
Bag
Box
Cylinder
Glass bottles or jugs
Plastic bottles or jugs
Tote bin
Tank wagon
Rail car
Battery

Table III - PRESSURE AND TEMPERATURE CONDITIONS

(PRESSURE)
Ambient pressure;
Greater than ambient pressure
Less than ambient pressure
(TEMPERATURE)
Ambient temperature
Greater than ambient temperature
Less than ambient temperature but not
cryogenic
Cryogenic conditions

Locations:

Provide a brief description of the precise location of the chemical so that Emergency Responders can locate the area easily if trouble occurs. It may be advantageous to provide an optional site plan.

Enter "No Storage" in this area if you have no chemical or pesticide storage.

Certification:

The owner or operator or the officially designated representative of the owner must certify that all information included in the TIER 2 submission is true, accurate, and complete. On the first page of the TIER II 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 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 the information requested on this form to fulfill the TIER II reporting requirements.