

Hanford Site-Wide Emergency Planning and Community Right-To-Know Act (EPCRA) Procedure

DOE-0361

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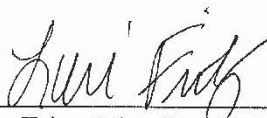
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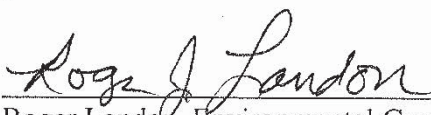
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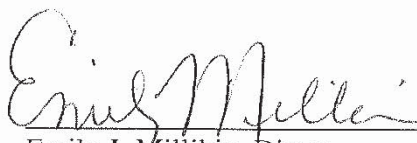
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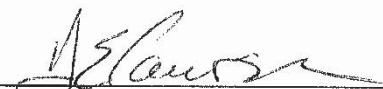
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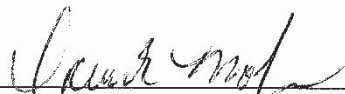
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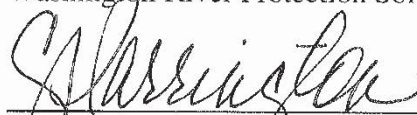
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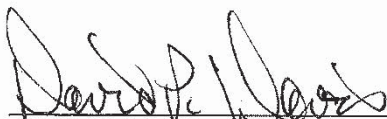
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Revision History

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Revision 0	March 28, 2011	J. K. Perry	New

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1.0 PURPOSE

The Hanford Site is subject to the Emergency Planning & Community Right-to-Know Act (EPCRA) requirements. Because EPCRA requirements apply site-wide, multi-contractor coordination is necessary. The purpose of this procedure is to establish criteria and processes to implement EPCRA requirements.

Under the Integrated Safety Management System (ISMS), the term “safety” also encompasses health and the environment (U.S. Department of Energy (DOE) Policy 450.4, *Safety Management System Policy*); therefore, the guiding principles and core functions in ISMS are as applicable to the protection of the environment as they are to the protection of employee health and safety. Various components of this procedure have relevance to employee health and safety as well as environmental protection. This document partially implements ISMS Guiding Principle 2 (Clear Roles and Responsibilities) and Core Functions 2, 3, 4, and 5 (Identify Requirements, Develop Controls, Perform Work Within Controls, and Feedback and Improvement), respectively.

2.0 SCOPE/APPLICABILITY

EPCRA has four major provisions: emergency planning, emergency release notification, hazardous chemical inventory reporting, and toxic chemical release inventory reporting. Table 2-1 provides a summary of the EPCRA Sections and their requirements.

Table 2-1. Emergency Planning and Community Right-to-Know Act Sections and Requirements. (2 sheets)

EPCRA Section	Code of Federal Regulations (CFR) Section	Reporting Criteria	Due Date	Agencies Receiving Report
302	40 CFR 355: Emergency Planning Notifications	Have present at any one time at a facility, an extremely hazardous substance (EHS) in quantity equal to or greater than threshold planning quantity (TPQ).	Within 60 days of TPQ exceedance.	Local Emergency Planning Committee (LEPC), State Emergency Response Commission (SERC)
302	40 CFR 355: Emergency Planning Notifications	Have any change occurring at a facility that is relevant to emergency planning.	Within 30 days after the change has occurred.	LEPC

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**Table 2-1. Emergency Planning and Community Right-to-Know
Act Sections and Requirements. (2 sheets)**

EPCRA Section	Code of Federal Regulations (CFR) Section	Reporting Criteria	Due Date	Agencies Receiving Report
304	40 CFR 355: Emergency Release Notifications	Release of an EHS or a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substance in quantity equal to or greater than reportable quantity.	Initial notification: immediate (within 15 minutes from knowledge of reportable release) Written follow-up: within 14 days of the release.	LEPC and SERC
311	40 CFR 370: Material Safety Data Sheet (MSDS) Reporting	Have present at any one time at a facility an Occupational Safety and Health Administration (OSHA) hazardous chemical in quantity equal to or greater than 10,000 pounds, or an EHS in quantity equal to or greater than TPQ or 500 pounds, whichever is less.	Revised list of chemicals due within three months of a chemical exceeding a threshold.	LEPC, SERC, Local Fire Departments (FD)
312	40 CFR 370: Tier Two Report	Have present at any one time at a facility an OSHA hazardous chemical in quantity equal to or greater than 10,000 pounds, or an EHS in quantity equal to or greater than TPQ or 500 pounds, whichever is less.	Annually by March 1.	LEPC, SERC, FD
313	40 CFR 372: Toxic Release Inventory (TRI) Report	Manufacture or process, or use at a facility, any listed TRI chemical in excess of its threshold amount during the course of a calendar year. Thresholds are 25,000 pounds for manufactured or processed or 10,000 pounds for otherwise used except for persistent, bioaccumulative, toxic chemicals (PBT), which have thresholds of 100 pounds or less.	Annually by July 1.	U.S. Environmental Protection Agency (EPA), SERC

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Emergency planning notifications, emergency release notifications, MSDS reporting, and Tier Two inventory reporting (EPCRA Sections 302, 304, 311, and 312, respectively) are prepared for each facility covered under a Community Right-to-Know (RTK) number, per the guidance on the State of Washington, Department of Ecology's (Ecology's) EPCRA webpage (<http://www.ecy.wa.gov/epcra/>). An RTK number is a 12-digit number (begins with a CRK or WA) and is specific to a facility address. The main Hanford Site, which includes the 100, 200, 300, 400, and 600 Areas, reports under one RTK number. Other establishments, not on the Hanford Site, report separately, under separate RTK numbers:

- 700 Area - Including the Central Reproduction Plant at 940 Northgate (712 Building) and the 7220 Building.
- 1100 Area - Including DOE-leased buildings in the Port of Benton Industrial Park and the adjacent 1220 Building).
- Federal Building - including DOE operations within the Federal Building (the Richland Operations Site Manager and the Richland Operations Federal Project Directors and Managers offices). Other establishments in the Federal Building that are not considered for DOE EPCRA reporting include the United States Courthouse, the local Veterans Affairs Clinic, Senator Maria Cantwell's Central Washington Director, an Internal Revenue Service office, and the Richland Post Office.
- Pacific Northwest National Laboratory (PNNL) Site - including the Environmental and Molecular Sciences Laboratory (EMSL).
- Johnson Controls, Inc. (JCI), Energy Northwest, Bonneville Power Administration, U.S. Ecology, Inc., and the Laser Interferometer Gravitational Wave Observatory (LIGO) are on the main Hanford Site, but report under separate RTK numbers (if reporting thresholds are exceeded).

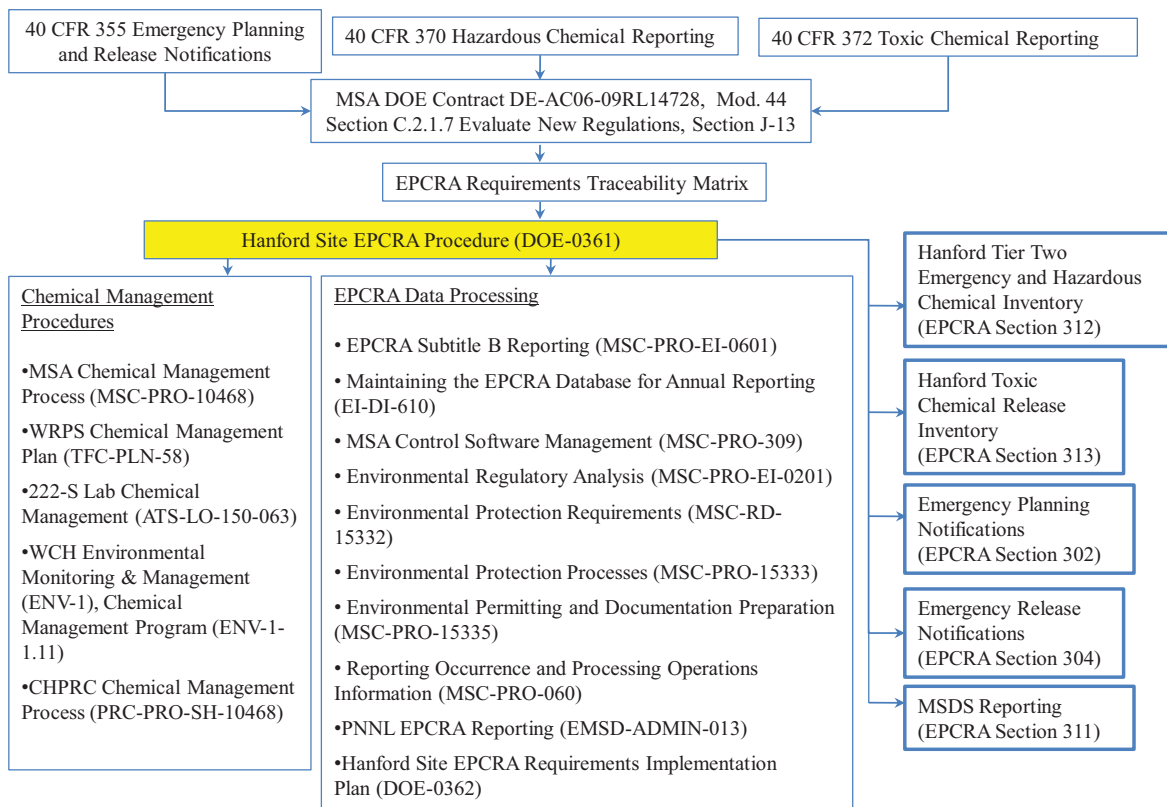
The TRI report (EPCRA Section 313) is prepared for the Hanford Site. With the exception of the 700 Area, 1100 Area, and leased buildings outside of site boundaries, all contractor activities under the control or management of the DOE are included in their TRI compliance determinations. According to 40 CFR 372.38(e) and (f), activities conducted on property leased to other companies, where the DOE has no business interest in the operations other than ownership of the real estate, are not required to be included in Hanford Site compliance determinations. This exemption applies to activities conducted by U.S. Ecology, Inc., Energy Northwest, the Bonneville Power Administration, LIGO, and other activities conducted on similarly leased lands not under the management of DOE. Toxic chemical releases from the 100, 200, 300, 400, and 600 Areas and JCI are included in the Hanford TRI report.

In the past, PNNL operations in the 300 Area were included with the reporting for the main Hanford Site. Starting with calendar year 2010, PNNL operations within the 300 Area will not be reported with the rest of the Hanford Site. Instead, PNNL operations within the 300 Area will be combined with operations at the PNNL Site, a separate Federal Facility immediately to the south of the Hanford Site.

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Figure 1 shows the relative hierarchy of key EPCRA requirements, implementing documents, and outputs. As shown in the figure, this procedure serves as a top level implementation document in that it establishes implementation processes at a site-wide level. As such, this procedure forms the foundation from which lower-level implementation documents can be developed.

Figure 1. Emergency Planning and Community Right-To-Know Act Supporting Documentation.



As shown in the above figure, the site-wide procedure and the EPCRA Requirements Traceability Matrix (RTM) are closely linked. The site-wide procedure and the RTM are cross referenced to one another, thereby establishing a traceable logic-tie between procedural processes and underlying requirements.

The RTM identifies procedures and related processes that implement EPCRA requirements. This procedure is one of many procedures identified in the RTM that support EPCRA requirements implementation.

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3.0 DEFINITIONS

CAS number	Chemical Abstract Service number
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601).
CHPRC	CH2M HILL Plateau Remediation Company
CID	Chemical Inventory Database
CITS	Chemical Inventory Tracking System
CFR	Code of Federal Regulations
Contractors	Hanford Site Contractors
Data Call	E-mail sent to Contractors requesting EPCRA information
DOE	U.S. Department of Energy
DOE-RL	U.S. Department of Energy Richland, Operations Office
ECO	Environmental Compliance Officer
EHS	Extremely Hazardous Substance; A substance listed in 40 CFR 355, Appendices A and B.
EMSL	Environmental and Molecular Sciences Laboratory
EPA	U.S. Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act of 1986, also known as Title III of the Superfund Amendments and Reauthorization Act (SARA).
EPCRAdb	Microsoft Access EPCRA Database
FD	local fire departments
Facility	The term “facility” under EPCRA means all buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person (or by any person that controls, is controlled by, or under common control with, such person). For information regarding areas that are included in the Hanford Site EPCRA reports, see Section 2.0.
Form A	Toxics Release Inventory form (Certification Statement only)
Form R	Toxics Release Inventory form
HCS	Hazard Communication Standard
IC	Integrating Contractor
ISMS	Integrated Safety Management System
JCI	Johnson Controls, Inc.
LEPC	Local Emergency Planning Committee
LIGO	Laser Interferometer Gravitational Wave Observatory
MSC	Mission Support Contract
MSDS	Material Safety Data Sheet
NRC	National Response Center
ONC	Occurrence Notification Center
OSHA	Occupational Safety and Health Administration
OUO	Official Use Only
POC	Point of Contact
PBT	Persistent Bioaccumulative Toxic

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PNNL	Pacific Northwest National Laboratory
POC	Single Point of Contact within an organization responsible for Contractor and Subcontractor coordination and inputs for EPCRA data requirements
Product ID	A unique number in CITS assigned to a specific chemical product (not the same as MSDS #)
RCC	River Corridor Closure Contractor
RQ	Reportable Quantity
RTK	Community Right-to-Know number; a 12-digit number (begins with a CRK or WA) and is specific to a facility address
RTM	EPCRA Requirements Traceability Matrix
RTM Req't ID #	A requirement number in the EPCRA Requirements Traceability Matrix
SERC	State Emergency Response Commission
SME	Subject Matter Expert
Tier Two	Tier Two Emergency and Hazardous Chemicals Inventory
TRI chemical	A chemical or chemical category listed in 40 CFR 372.65.
TPQ	Threshold Planning Quantity
TRI	Toxic Release Inventory
USC	United States Code
WCH	Washington Closure Hanford, LLC
WRPS	Washington River Protection Solutions, LLC
WTP-CC	Waste Treatment Plant-Construction Contractor

4.0 HAZARDOUS CHEMICAL REPORTING: MATERIAL SAFETY DATA SHEET REPORTING (40 CFR 370)

Section 311 of EPCRA requires facilities to submit the MSDS for the hazardous chemicals present onsite in excess of the threshold level to the SERC, LEPCs, and local FDs. Alternatively, facilities may submit a list of the hazardous chemicals present onsite above applicable threshold levels in lieu of MSDSs. The list submitted must identify the hazards associated with each hazardous chemical. The five categories are fire hazard, sudden release of pressure, reactivity, immediate or acute health hazard, and delayed or chronic health hazard.

The threshold levels are as follows:

- The TPQ or 500 pounds at any one time, whichever is less for EHS.
- 10,000 pounds at any one time for OSHA hazardous chemicals (that are not EHSs).

In addition, Section 311 of EPCRA requires that after the initial submission of MSDSs or hazardous chemicals list, updates must be submitted within three months when:

- Significant new information is discovered about a hazardous chemical for which an MSDS has been submitted; or
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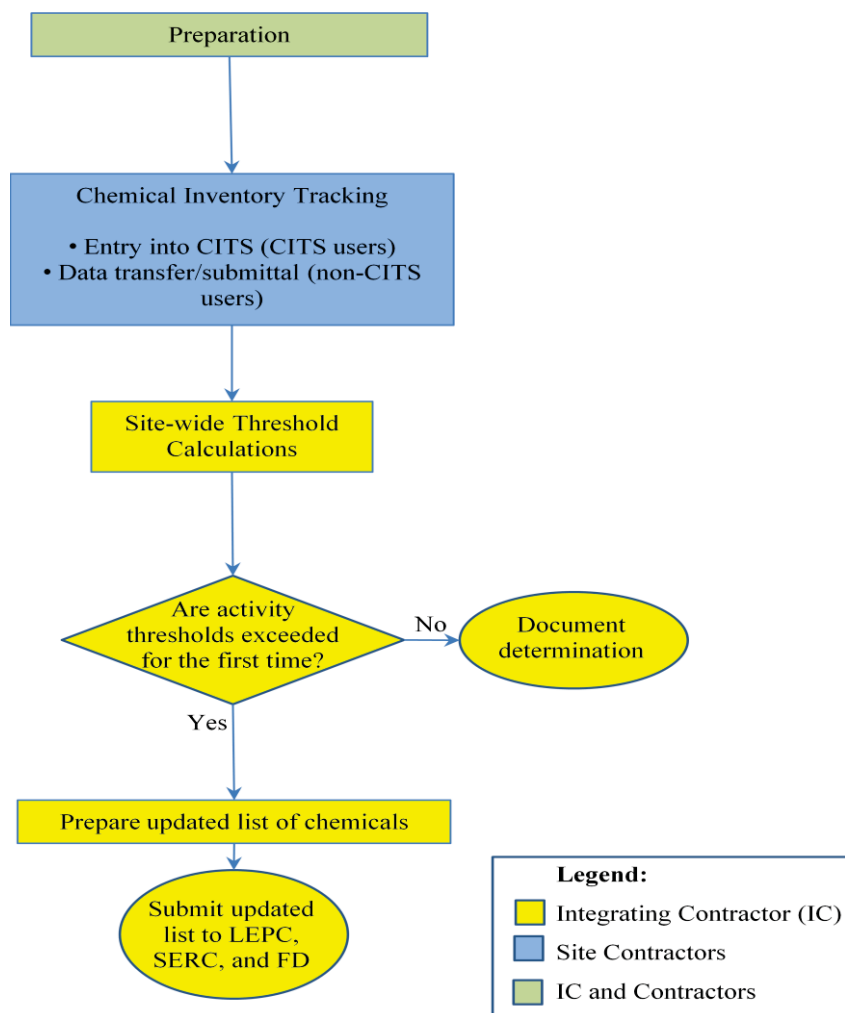
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- A new hazardous chemical becomes present at the facility in excess of the TPQ for the first time; or
- An existing hazardous chemical first exceeds the threshold.

For Section 311 submissions, the Washington SERC prefers a hazardous chemicals list in lieu of MSDSs. The initial list of hazardous chemicals present at the Hanford Site in excess of threshold levels has already been submitted to the SERC, LEPC, and local FD. However, since there are numerous products containing hazardous chemicals used at the Hanford Site and the amount and type of products used every year varies, periodic determinations of site-wide aggregate totals of EHSs and hazardous chemicals must be conducted to ensure that updates are submitted within the three month reporting window.

Figure 2 shows the MSDS Reporting process.

Figure 2. Material Safety Data Sheet Reporting Process.



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4.1 Preparation

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	4.1.1	<p>Assign and provide to the integrating contractor (IC) a point of contact (POC), such as a project manager, environmental manager, environmental compliance officer (ECO), for EPCRA reporting. The POCs shall be responsible for coordinating activities within their respective company and on behalf of subcontractors to ensure streamlined/single-POC communications with the integrating contractor. Coordination activities shall include but not be limited to the following:</p> <ul style="list-style-type: none"> • Data gathering (including schedule development); • Internal communications; and • Issue resolution. 	5.0.2

4.2 Chemical Inventory Tracking

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors (CITS-users)	4.2.1	<p>Ensure that inventory item information for products containing an EHS or OSHA hazardous chemical is entered into the Chemical Inventory Tracking System (CITS) active inventory within 45 days of receiving chemical products. Entry of inventory item information includes requesting addition of any "new" product into CITS by the CITS Data Administrator.</p> <p>NOTE: More stringent data entry requirements apply to products containing EHSs (see Section 7: Emergency Planning).</p>	5.1.1
CITS Data Administrator	4.2.2	<p>Maintain configuration control for MSDSs and MSDS changes.</p> <p>Cross reference MSDSs between Contractors. NOTE: Some Contractors do not use the Hanford Site MSDS system.</p> <p>As applicable, enter MSDS information into the CITS database (e.g., constituents and constituent concentrations, densities, vapor pressure, flash point, physical properties, hazard information, Chemical Abstract Service (CAS) numbers, various database</p>	5.6.1-5.6.3

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		codes that support EPCRA data-processing, etc.).	
Contractors (CITS-users)	4.2.3	Work with CITS Data Administrator to move items from temporary inventory to active inventory within 45 days of acquiring a product. If an inventory item cannot be moved to the CITS active inventory by the due date, submit inventory item information directly to the IC.	5.1.2
River Corridor Closure Contractor (RCC)	4.2.4	Ensure that inventory item information for products that contain an EHS or OSHA hazardous chemical and associated Hanford MSDS number is entered into the Chemical Inventory Database (CID) within 45 days of receiving chemical products. NOTE: More stringent data entry requirements apply to products containing EHSs (see Section 7: Emergency Planning).	5.1.3
RCC	4.2.5	Transfer inventory item information for products that contain an EHS or OSHA hazardous chemical to the IC, within each 14-day period (dates to be determined by the IC). NOTE: Changes to the data transfer requirements must be approved by both RCC and the IC. If RCC and the IC are unable to resolve disagreements regarding data transfer requirements, DOE will render decisions, as applicable, to resolve disputes.	5.1.4
Waste Treatment Plant – Construction Contractor (WTP-CC)	4.2.6	Within each 45-day period (dates to be determined by the IC), provide IC with chemical data for products containing an EHS or OSHA hazardous chemical. The data shall include the relevant MSDSs, product amounts, container types, and container location. The data submittals shall address changes, relative to the most recent Tier Two report. As updated information is provided to the IC, the prior Tier Two baseline from which data changes are assessed against will be adjusted accordingly. NOTE: More stringent data entry requirements apply to products containing EHSs (see Section 7:	5.1.5

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		Emergency Planning).	
Contractors	4.2.7	<p><i>Modified Solids:</i> Provide to the IC information regarding releases of EHS(s) or OSHA hazardous chemical(s) from modified solid(s) within 45 days of modifying the solid(s).</p> <p>NOTE: The EPCRA Section 311 requirements provide regulatory exclusions for solids in manufactured items that do not result in hazardous chemical exposure under normal conditions of use. However, if the solids are modified, such that hazardous chemical exposure can occur, EPCRA Section 311 requirements apply (75 FR 39852, “Guidance on Reporting Options for EPCRA 311/312 and Interpretations”). Examples of this situation include, but are not limited to the following:</p> <ul style="list-style-type: none"> ● Steel undergoing a welding process; ● Steel or metal that is subjected to sandblasting; and ● Grinding of steel or metal surfaces. <p>To the extent that the existing chemical data tracking systems are incapable of capturing/tracking data for solid modification scenarios, the contractor is responsible for manual collection and transfer of data to the IC. Contractors have two options:</p> <ol style="list-style-type: none"> 1. Track and report the entire quantity of solids that are subjected to modification processes; or 2. Track and report the quantities of EHS or OSHA hazardous chemical emitted or released. 	5.1.6
Contractors	4.2.8	<i>Data Completeness:</i> Ensure adequacy of data made available to the IC for purposes of site-wide implementation of EPCRA requirements.	5.0.3
Contractors	4.2.9	<i>Transportation and Storage:</i> Ensure compliance with EPCRA requirements for chemical orders that are stored at the Warehouse or at other locations for time periods not incidental to transportation.	5.0.4

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
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NOTE: Chemicals that are being transported and/or are being stored incidental to transportation are exempt from EPCRA requirements, except for EPCRA Section 304 requirements (paraphrased from 42 United States Code (USC) 11047, "Exemption"). Storage incidental to transportation may include but is not limited to temporary storage at: Warehouse(s); Material Coordinator work stations; bar coding stations; etc. Contractors are responsible for applying case-by-case judgment when determining if chemical storage is or is not incidental to transportation.

4.3 Exemptions

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC, Contractors (optional)	4.3.1	Determine if a product or chemical is exempt from MSDS reporting. See Appendix B for list of exemptions.	5.1.7

NOTE: Determination of exemptions is optional.

4.4 Site-Wide Threshold Calculations

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	4.4.1	Every 45 days, using the Microsoft Access EPCRA Database (EPCRAdb), combine maximum quantities of each hazardous chemical and EHS to determine what chemicals exceed threshold levels.	2.0.3, 2.0.6, 5.1.8
IC	4.4.2	Review aggregate totals for accuracy. Identify and resolve errors with appropriate contractor.	5.0.5

4.5 Reporting

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	4.5.1	Within three months of an OSHA hazardous chemical or EHS exceeding the associated threshold for the first time, notify and send revised list of reportable hazardous chemicals to LEPC, SERC, and local FD.	2.0.2, 2.0.4-2.0.8, 2.1.3-2.1.12, 2.1.14

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4.6 Recordkeeping

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	4.6.1	Comply with recordkeeping requirements in MSC-PRO-10588, <i>Records Management Processes</i> .	5.0.7

5.0 HAZARDOUS CHEMICAL REPORTING: ANNUAL TIER TWO REPORT (40 CFR 370)

Under Section 312 of EPCRA, facilities are required to annually provide information regarding the quantity and location of hazardous chemicals stored at their facility, at any one time, in amounts exceeding minimum threshold levels to the SERC, LEPC, and local FD.

The threshold levels are as follows:

- The TPQ or 500 pounds at any one time, whichever is less for EHSs;
- 10,000 pounds at any one time for OSHA hazardous chemicals.

The Tier Two report must be submitted to the required agencies annually by March 1. The report covers hazardous chemicals present in inventory during the previous calendar year.

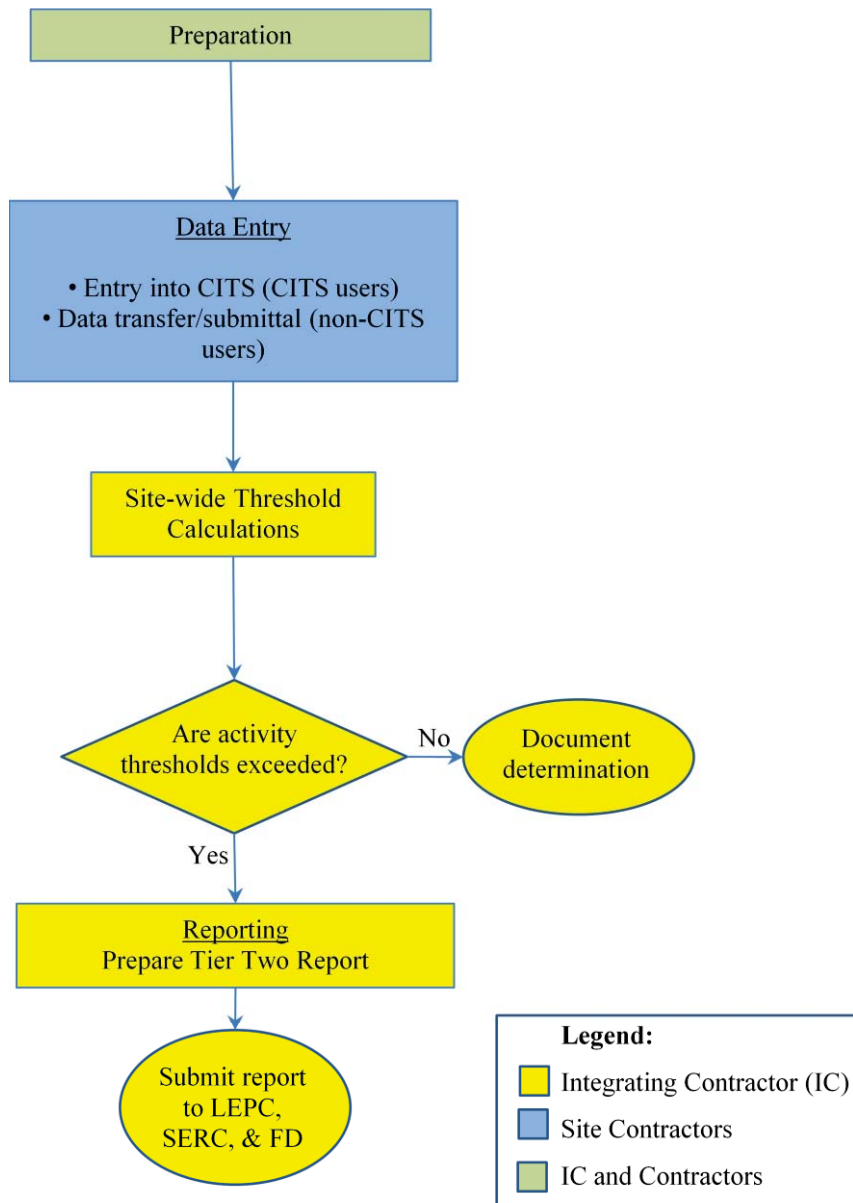
The reporting requirements of Section 312 (annual Tier Two report) and Section 311 (MSDS (Reporting)) are similar. The main differences between the two are:

- Submittal of the Tier Two report is required on an annual basis while submittal of the updated list of chemicals is due within three months; and
- The updated list requires only the list of chemicals and their hazard categories while the Tier Two report requires more detailed information and must be certified as true, accurate, and complete.

Figure 3 shows the Tier Two Reporting process.

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Figure 3. Tier Two Reporting Process.



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5.1 Preparation

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	5.1.1	Assign and provide to the IC a POC, such as a project manager, environmental manager, ECO, for EPCRA reporting. The POCs shall be responsible for coordinating activities within their respective company and on behalf of subcontractors to ensure streamlined/single-POC communications with the integrating contractor. Coordination activities shall include but not be limited to the following: <ul style="list-style-type: none"> • Data gathering (including schedule development); • Internal communications; • Issue resolution; and • Acquisition of company certifications. 	5.0.2
IC	5.1.2	On as needed basis, develop and issue to POCs guidance explaining the Tier Two reporting requirements and instructions for providing data. The guidance would serve to supplement this procedure.	5.2.1

5.2 Data Entry

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
CITS Data Administrator	5.2.1	Maintain configuration control for MSDSs and MSDS changes. <p>Cross reference MSDSs between Contractors.</p> <p>NOTE: Some Contractors do not use the Hanford Site MSDS system.</p> <p>As applicable, enter MSDS information into the CITS database (e.g., constituents and constituent concentrations, densities, vapor pressure, flash point, physical properties, hazard information, CAS numbers, various database codes that support EPCRA data-processing, etc.).</p>	5.6.1-5.6.3

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors (CITS-users)	5.2.2	Ensure that inventory item information for products containing an EHS or OSHA hazardous chemical present at the Hanford Site during the reporting year (i.e., calendar year) is entered into the CITS database annually, by December 15. See Appendix E, Chemical Inventory Information for Tier Two Reporting. Entry of inventory item information includes requesting addition of any "new" product into CITS by the CITS Data Administrator.	5.2.2
		<p>NOTE: More stringent data entry frequency apply for other parts of the EPCRA regulations (see Sections 4.0 and 7.0)</p> <p>NOTE: Although the Tier Two report covers all of the calendar year, report preparation must begin prior to December 31 in order to allow for expected review and approval periods. Any inventory changes occurring between December 15 and December 31 that may affect the final Tier Two report will be addressed individually. Upon request, the IC will furnish the Contractor with a report for facility files and/or certification process showing how inventory information was considered during Tier Two report preparation (e.g., whether each item was reportable, non-hazardous, or excluded as a consumer product or article).</p>	
Contractors (CITS-users)	5.2.3	Work with CITS administrator to move items from temporary inventory to active inventory by December 31. If an inventory item cannot be moved to the CITS active inventory by the due date, submit inventory item information directly to the IC.	5.2.3
RCC	5.2.4	Ensure that inventory item information for products that contain an EHS or OSHA hazardous chemical and associated Hanford MSDS number is entered into CID by December 15.	5.2.4
RCC	5.2.5	Transfer inventory item information for products containing an EHS or OSHA hazardous chemicals present at the Hanford Site during the reporting year (i.e., calendar year) to the IC, annually by December 15.	5.2.5

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		<p>NOTE: Changes to the data transfer requirements must be approved by both RCC and the IC. If RCC and the IC are unable to resolve disagreements regarding data transfer requirements, DOE will render decisions, as applicable, to resolve disputes.</p>	
WTP-CC	5.2.6	<p>Submit chemical data for products containing an EHS or OSHA hazardous chemicals present at the Hanford Site during the reporting year (i.e., calendar year) to the IC, annually by December 15. See Appendix E for required chemical information.</p> <p>The data submittals shall address changes, relative to the most recent Tier Two report.</p>	5.2.6
Contractors	5.2.7	<p><i>Lead acid batteries:</i> Upon request by the IC, submit information regarding lead acid batteries directly to the IC.</p> <p>NOTE FOR CITS-USERS: Even if the lead acid batteries are tracked in CITS, information regarding lead acid batteries must be submitted directly to the IC.</p>	5.2.7
Contractors	5.2.8	<p><i>Modified Solids:</i> Provide to the IC information regarding releases of EHS(s) or OSHA hazardous chemical(s) from modified solid(s) by December 15.</p> <p>NOTE: The EPCRA Section 312 requirements provide regulatory exclusions for solids in manufactured items that do not result in hazardous chemical exposure under normal conditions of use. However, if the solids are modified, such that hazardous chemical exposure can occur, EPCRA Section 312 requirements apply (75 FR 39852). Examples of this situation include, but are not limited to the following:</p> <ul style="list-style-type: none"> ● Steel undergoing a welding process; ● Steel or metal that is subjected to sandblasting; and ● Grinding of steel or metal surfaces. 	5.2.8

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
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To the extent that the existing chemical data tracking systems are incapable of capturing/tracking data for solid modification scenarios, the contractor is responsible for manual collection and transfer of data to the IC. Contractors have two options:

1. Track and report the entire quantity of solids that are subjected to modification processes; or
2. Track and report the quantities of EHS(s) or OSHA hazardous chemical(s) emitted or released.

The data provided to the IC will need to address the chemical identity (the specific chemicals) and the maximum quantity.

Contractors	5.2.9	<i>Transportation and Storage:</i> Ensure compliance with EPCRA requirements for chemical orders that are stored at the Warehouse or at other locations for time periods not incidental to transportation.	5.0.4
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NOTE: Chemicals that are being transported and/or are being stored incidental to transportation are exempt from EPCRA requirements, except for EPCRA Section 304 requirements (paraphrased from 42 USC 11047). Storage incidental to transportation may include but is not limited to temporary storage at: Warehouse(s); Material Coordinator work stations; bar coding stations; etc.). Contractors are responsible for applying case-by-case judgment when determining if chemical storage is or is not incidental to transportation.

5.3 Data Certifications

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
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Contractors	5.3.1	Provide to the IC certification that inventory item information and/or chemical data submitted for the Tier Two report are true, accurate, and complete.	5.2.9
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NOTE: Contractors are responsible for the adequacy of data made available to the IC for purposes of site-wide implementation of EPCRA requirements. All data submitted for Tier Two reporting must be

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		certified by responsible management. A responsible manager is someone who has a general understanding of the reporting requirements and is familiar with the inventory data and the methods used to collect it. Only one certification signature is <u>required for each Contractor</u> . Any additional signatures are optional and may be furnished at the discretion of Contractor management. Data certification is due after data has been reviewed by the IC and any clarifications/corrections have been resolved. Certification forms will be provided by the IC.	

5.4 Exemptions

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC, Contractors (optional)	5.4.1	Determine if a product or chemical is exempt from Tier Two reporting. See Appendix B for list of exemptions.	5.2.10

NOTE: Determination of exemptions is optional.

5.5 Site-Wide Threshold Calculations

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	5.5.1	Using the EPCRAdb, combine maximum quantities of each hazardous chemical and EHS to determine what chemicals were present in amounts greater than minimum threshold levels.	2.0.3, 2.0.6, 5.0.6, 5.2.11
IC	5.5.2	Review aggregate totals for accuracy. Identify and resolve errors with appropriate contractor.	5.0.5

5.6 Reporting

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	5.6.1	Prepare a Tier Two report, containing Official Use Only (OUO) information, to be submitted to the SERC, LEPC, and the fire department with jurisdiction over the Hanford facility.	5.2.12
IC	5.6.2	Prepare a Tier Two report, containing containers, pressures, and temperatures information only, to be available for public access.	2.1.49, 5.2.13

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	5.6.3	Distribute the draft Tier Two report review package to POCs and DOE. Allow at least two weeks for review.	5.2.14
Contractors, DOE	5.6.4	Review draft Tier Two report and provide comments to the IC.	5.2.15
IC	5.6.5	Compile and appropriately resolve draft comments submitted by POCs and DOE and create a final Tier Two report package.	5.2.16
IC	5.6.7	Obtain approval and signature from DOE certifying that the final Tier Two report package is true, accurate, and complete.	2.1.32, 5.2.17
IC	5.6.8	Transmit final Tier Two report package to DOE Richland Operations Office (DOE-RL) by the contract deliverable deadline.	5.2.18
IC	5.6.9	Download current reporting software (EPCRAMail database) from Ecology's EPCRA web site ("EPCRAMail," http://www.ecy.wa.gov/epcra/accessXP.html) and transfer Tier Two data from EPCRAdb into Ecology's EPCRAMail database annually by March 1.	5.2.19
IC	5.6.10	Assist DOE, as needed, in submittal of the certified report to the SERC, LEPC, and the fire department with jurisdiction over the Hanford facility annually by March 1.	2.1.53 to 2.1.56, 5.2.20
IC	5.6.11	Complete courtesy distribution of final Tier Two report package to offsite stakeholders and onsite recipients.	5.2.21
IC	5.6.12	Provide pertinent Tier Two information (MSDS and other data) upon request of the LEPC, SERC, and fire department within 30 days of receiving request.	2.1.6, 2.1.9, 2.1.13, 2.1.16, 2.2.1 to 2.2.4, 2.2.7, 2.1.57
IC	5.6.13	Upon request by the fire department with jurisdiction over the Hanford Site, allow the fire department to conduct an onsite inspection.	2.2.6

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5.7 Recordkeeping

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	5.7.1	Comply with recordkeeping requirements in MSC-PRO-10588.	5.0.7

6.0 TOXIC CHEMICAL RELEASE INVENTORY REPORTING (40 CFR 372)

Section 313 of EPCRA requires facilities to report total annual releases of listed TRI chemicals. The Pollution Prevention Act of 1990 adds further requirements to include source reduction and recycling information with this submittal. The TRI chemicals that must be considered for the TRI report are listed in 40 CFR 372.65. The list may also be accessed at EPA's TRI Internet homepage ("TRI Chemical List," <http://www.epa.gov/tri/>).

The TRI report must be submitted to the required agencies annually by July 1 and must cover activities that occurred at the facility during the previous calendar year. A TRI report consists of either a Form R or Form A.

A Form R must be completed for each TRI chemical manufactured, processed, or otherwise used in excess of the applicable threshold. The threshold for manufacturing or processing activities is 25,000 pounds. The threshold for chemicals otherwise used is 10,000 pounds. Certain chemicals identified by the EPA as being persistent and bioaccumulative have lower activity thresholds; either 100 pounds, 10 pounds if highly persistent and bioaccumulative, or 0.1 grams for dioxin and dioxin-like compounds. A Form R is divided into two parts:

- Part I: Facility Identification Information contains information on such matters as name, address, parent company information, and contact names and phone numbers for the facility.
- Part II: Chemical-Specific Information contains information such as chemical identity, facility activities and uses of the chemical, amounts of on and offsite releases and transfers offsite for further waste management, onsite waste treatment methods and efficiencies, on and offsite waste management quantities, and information on source reduction and recycling activities.

Alternatively, if a facility's total annual reportable amount of a chemical does not exceed 500 pounds, and the facility does not manufacture, process, or otherwise use more than 1 million pounds of the chemical, a Form A certification statement may be submitted. A Form A certification statement consists of facility identification information and chemical identification, as in Form R. The amounts or other information about the uses, releases, or waste management of the chemical do not have to be reported in a Form A.

The definitions of the three activity categories are:

- *Manufacturing* - To produce, prepare, import, or compound a TRI chemical. Manufacture also applies to a TRI chemical that is produced coincidentally during the manufacture, processing, use, or disposal of another chemical or mixture of chemicals, including a TRI
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chemical that is separated from that other chemical or mixture of chemicals as a byproduct, and a TRI chemical that remains in that other chemical or mixture of chemicals as an impurity.

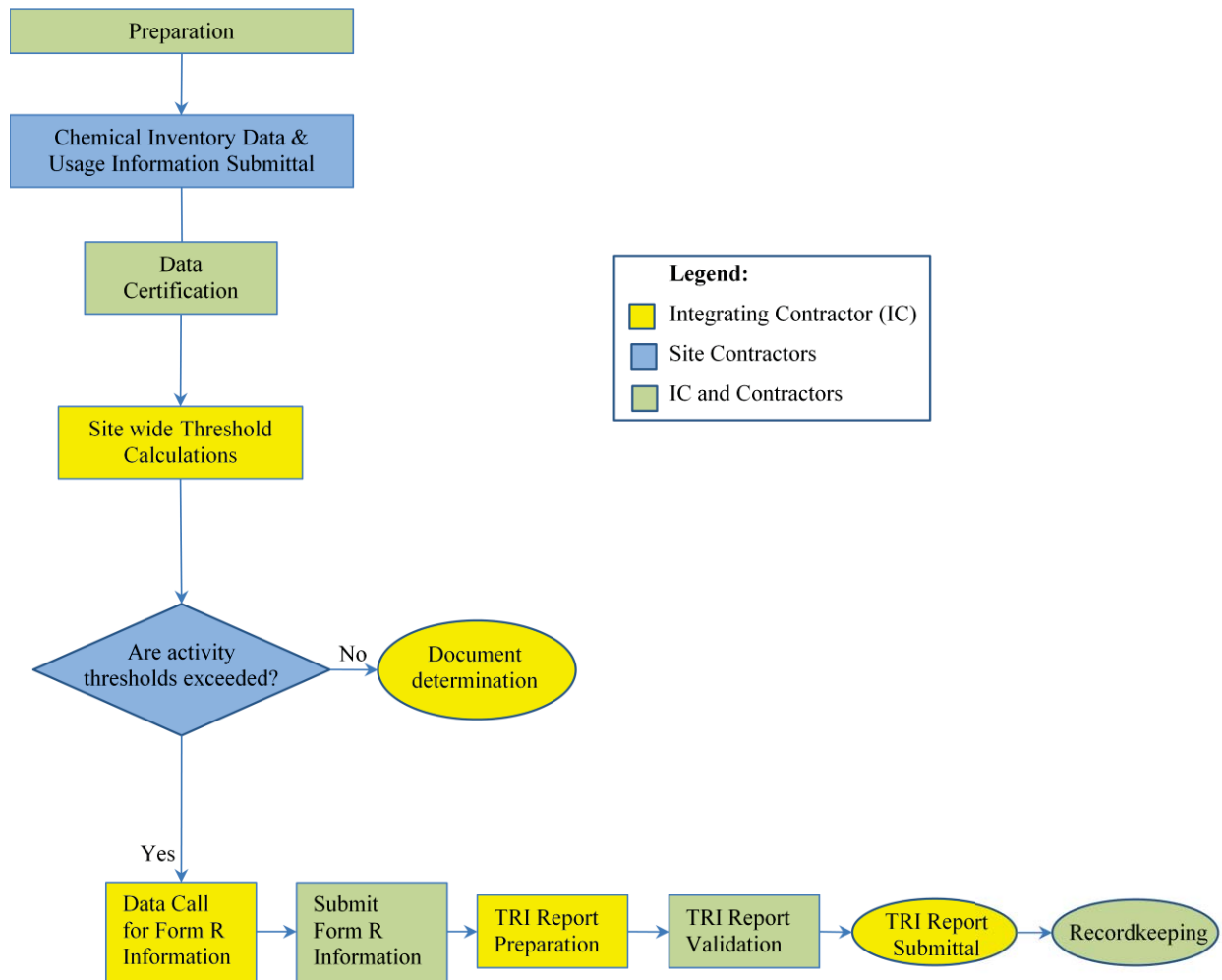
- *Processing* - The preparation of a TRI chemical, after its manufacture, for distribution in commerce:
 - In the same form or physical state as, or in a different form or physical state from, that in which it was received by the person so preparing such substance; or
 - As part of an article containing the TRI chemical. Process also applies to the processing of a TRI chemical contained in a mixture or trade name product.
- *Otherwise use*- Any use of a TRI chemical, including a TRI chemical contained in a mixture or other trade name product or waste, that is not covered by the terms “manufacture” or “process.” Otherwise use of a TRI chemical does not include disposal, stabilization (without subsequent distribution in commerce), or treatment for destruction unless:
 - The TRI chemical that was disposed, stabilized, or treated for destruction was received from offsite for the purposes of further waste management;
 - The TRI chemical that was disposed, stabilized, or treated for destruction was manufactured as a result of waste management activities on materials received from offsite for the purposes of further waste management activities; or
 - Relabeling or redistributing of the TRI chemical where no repackaging of the TRI chemical occurs does not constitute otherwise use or processing of the TRI chemical.

Reporting is required only if the facility meets certain criteria; therefore, report preparation activities are divided into two distinct phases. In the first phase, quantities of TRI chemicals used in activities performed by Site Contractors are aggregated and compared to threshold levels. In the second phase, release data and pollution prevention information regarding reportable TRI chemicals (chemicals that exceed activity threshold levels) is collected.

Figure 4 shows the TRI Report preparation process.

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Figure 4. Toxic Release Inventory (TRI) Reporting Process.



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6.1 Preparation

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	6.1.1	Assign and provide to the IC a POC, such as a project manager, environmental manager, ECO, for EPCRA reporting. The POCs shall be responsible for coordinating activities within their respective company and on behalf of subcontractors to ensure streamlined/single-POC communications with the integrating contractor. Coordination activities shall include but not be limited to the following: <ul style="list-style-type: none"> ● Data gathering; ● Internal communications; ● Issue resolution; and ● Acquisition of company certifications. 	5.0.2
IC	6.1.2	On as needed basis, develop and issue to POCs guidance explaining the TRI reporting requirements and instructions for providing TRI data. The guidance would serve to supplement this procedure.	5.3.1

6.2 Chemical Inventory Data and Usage Information Submittal

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors (CITS-users)	6.2.1	Ensure that inventory item information for products containing TRI chemicals that were used during the reporting year (i.e., calendar year) is entered into the CITS database annually by February 15. CITS data must include product name, name of manufacturer, MSDS number (or a copy of the MSDS if it is not in the Hanford MSDS System). Entry of inventory item information includes requesting addition of any "new" product into CITS by the CITS Data Administrator. If the mixture was prepared onsite, the responsible Contractor must provide the identity and concentration of all TRI chemical components. NOTE: This does not apply to working solutions in secondary containers (since the primary container is being tracked).	5.3.2

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		<p>NOTE: More stringent data entry frequency criteria apply for other parts of the EPCRA regulations (see Sections 4.0 and 7.0)</p> <p>Upon request, the IC will furnish the Contractor with a report for facility files and/or certification process showing how inventory information was considered during TRI report preparation (i.e., whether each item was reportable, non-hazardous, or excluded as a consumer product or article).</p>	
CITS Data Administrator	6.2.2	<p>Maintain configuration control for MSDSs and MSDS changes.</p> <p>Cross reference MSDSs between Contractors. NOTE: Some Contractors do not use the Hanford Site MSDS system.</p> <p>As applicable, enter MSDS information into the CITS database (e.g., constituents and constituent concentrations, densities, vapor pressure, flash point, physical properties, hazard information, CAS numbers, various database codes that support EPCRA data-processing, etc.).</p>	5.6.1-5.6.3
Contractors (CITS-users)	6.2.3	<p>Work with CITS administrator to move items from temporary inventory to active inventory by February 15. If an inventory item cannot be moved to the CITS active inventory by the due date, submit inventory item information directly to the IC.</p>	5.3.3
Contractors (CITS-users)	6.2.4	<p>When prompted by the IC, provide the IC with the following information regarding TRI chemicals:</p> <ul style="list-style-type: none"> • Estimated quantity of the material used; and • Activity description (how the material was used). <p>For TRI chemicals/products that qualify for an exemption, provide only the exemption information.</p>	5.3.4
RCC	6.2.5	<p>Enter inventory item information for each product that contains a TRI chemical and the associated Hanford MSDS number into the CID by February 15.</p>	5.3.5
RCC	6.2.6	<p>Transfer inventory item information for products</p>	5.3.6

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		<p>containing TRI chemicals that were used during the reporting year (i.e., calendar year) to the IC, annually by February 15.</p> <p>NOTE: Changes to the data transfer requirements must be approved by both RCC and the IC. If RCC and the IC are unable to resolve disagreements regarding data transfer requirements, DOE will render decisions, as applicable, to resolve disputes.</p>	
RCC	6.2.7	<p>When prompted by the IC, provide the IC with the following information regarding TRI chemicals:</p> <ul style="list-style-type: none"> ● Exemption information; ● Estimated quantity of the material used; and ● Activity description (how the material was used). 	5.3.7
WTP-CC	6.2.8	<p>Submit chemical data for products containing TRI chemicals that were used during the reporting year (i.e., calendar year) to the IC, annually by February 15. Data shall include product name, manufacturer, MSDS number (or a copy of the MSDS if it is not in the Hanford MSDS system), exemption information, estimated quantity of the material used, and activity description (how the material was used). If the mixture was prepared onsite, the responsible Contractor must provide the identity and concentration of all TRI chemical components.</p> <p>The data submittals shall address changes, relative to the previous year's TRI report.</p>	5.3.8
Contractors	6.2.9	<p>Provide to the IC information regarding “manufacturing” or “processing” of TRI chemicals. The data provided to the IC shall include:</p> <ul style="list-style-type: none"> ● Chemicals “manufactured” or “processed;” ● Activity category; and ● Estimated quantity of the “manufactured” or “processed” product. 	5.3.10
Contractors	6.2.10	<i>Modified Solids:</i> Provide to the IC information	5.3.9

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		regarding releases of TRI chemicals from modified solids by February 15.	
		<p>NOTE: The EPCRA Section 313 (TRI) requirements provide regulatory exclusions for manufactured articles and structural components (see Appendix A). However, if the solid items containing TRI chemicals are modified such that TRI chemical exposure can occur, TRI requirements apply (75 FR 39852). Examples of this situation include, but are not limited to the following:</p> <ul style="list-style-type: none">• Steel undergoing a welding process;• Steel or metal that is subjected to sandblasting; and• Grinding of steel or metal surfaces. <p>To the extent that the existing chemical data tracking systems are incapable of capturing/tracking data for solid modification scenarios, the contractor is responsible for manual collection and transfer of data to the IC. Contractors have two options:</p> <ul style="list-style-type: none">• Track and report the entire quantity of solids that are subjected to modification processes; or• Track and report the quantities of TRI chemicals emitted or released. <p>The data provided to the IC will need to address:</p> <ul style="list-style-type: none">• Chemical identity;• Exemption information;• Estimated quantity of the material used; and• Activity description (how the material was used).	

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6.3 Exemptions

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	6.3.1	Review TRI reporting exemptions (see Appendix A) and determine if a product is exempt from TRI reporting. When prompted by the IC, submit exemption information to the IC.	5.3.11

6.4 Certification

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	6.4.1	Provide to the IC certification that chemical data and/or inventory item information submitted for the TRI Report are true, accurate, and complete.	5.3.12

NOTE: Contractors are responsible for the adequacy of data made available to the IC for purposes of site-wide implementation of EPCRA requirements. All data submitted for TRI reporting must be certified by responsible management. A responsible manager is someone who has a general understanding of the reporting requirements and is familiar with the inventory data and the methods used to collect it. Only one certification signature is required for each Contractor. Any additional signatures are optional and may be furnished at the discretion of Contractor management. Data certification is due after data has been reviewed by the IC and any clarifications/corrections have been resolved. Certification forms will be provided by the IC.

6.5 Site-Wide Threshold Calculations

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	6.5.1	Using the EPCRAdb, combine the quantities of each TRI chemical used for each activity category and determine which TRI chemicals exceed an activity threshold.	5.0.6, 5.3.13
IC	6.5.2	Review aggregate totals for accuracy. Identify and resolve errors with appropriate contractor.	5.0.5

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6.6 Form R Information (Releases to the Environment) Submittal

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	6.6.1	Determine what information is required to complete the TRI forms (Form R or Form A).	5.3.14
IC	6.6.2	Issue an initial data call to reporting POCs for data needed to complete the necessary TRI forms (Form R or Form A). A TRI Form R must be completed for each TRI chemical that exceeds an activity threshold level. The following information is required on the TRI Form R(s): <ul style="list-style-type: none">• Discharges to air (fugitive air emissions, point air emissions);• Discharges to water (receiving streams or water bodies, underground injection onsite to Class I-V Wells, Publicly Owned Treatment Works);• Disposal to land (onsite, landfills, surface impoundments);• Transfer to other offsite locations;• Onsite and offsite treatment methods and efficiency; and• Source reduction and recycling activities (energy recovery processes). <p>NOTE: For chemicals that are known to exceed the activity threshold (e.g., lead and/or lead compounds, naphthalene, and propylene), the information above should be requested along with the initial data call.</p>	5.3.15
Contractors	6.6.3	Provide information regarding releases to the environment for each TRI chemical that exceeds an activity thresholds level.	5.3.16

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6.7 Toxic Release Inventory Report (Form Rs and Supporting Document Basis) Preparation

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	6.7.1	Using EPA's TRI-ME Web (https://cdx.epa.gov/SSL/CDX/EPA_Home.asp), prepare a draft Form R (or Form A, if applicable) for each chemical that exceeds an activity threshold.	3.0.20, 3.0.24, 3.0.27
IC	6.7.2	Prepare a Supporting Document Basis, which includes the data that will appear on the report, supporting calculations and assumptions, and supplemental information to facilitate review of the report.	5.3.17
IC	6.7.3	If there were no TRI chemicals used during the reporting year in excess of one of the activity thresholds, prepare documentation of the activities leading to that determination.	5.3.18

NOTE: This documentation is for onsite use only. It is not to be transmitted to external agencies.

6.8 Toxic Release Inventory Report Validation, Approval, and Submittal

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	6.8.1	Distribute the draft TRI report package (Form Rs and/or Form As and Supporting Document Basis) to POCs and DOE. Allow at least 2 weeks for review.	5.3.19
POCs DOE	6.8.2	Review and provide comments as applicable on draft TRI report package (Form Rs and/or Form As and Supporting Document Basis).	5.3.20
IC	6.8.3	Compile and appropriately resolve draft comments submitted by POCs and DOE and create a final TRI report package.	5.3.21
IC	6.8.4	Obtain approval and signature from DOE certifying that the final TRI report package is true, accurate, and complete.	5.3.22
IC	6.8.5	Transmit final TRI package to DOE-RL for certification by the contract deliverable deadline.	5.3.23
IC	6.8.6	Assist DOE, as needed, in submittal of the certified	3.0.24-3.0.27,

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		report to EPA and Ecology annually by July 1.	3.0.34, 4.0.3, 5.3.24
IC	6.8.7	Complete courtesy distribution of final TRI report package to offsite stakeholders and onsite recipients.	5.3.25

6.9 Recordkeeping

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	6.9.1	Comply with recordkeeping requirements in MSC-PRO-10588.	5.0.7
IC	6.9.2	Retain for a period of three years from the date of the submission of a TRI report a copy of each report TRI submitted.	3.0.1
IC	6.9.3	Retain for a period of three years from the date of the submission of a TRI report all supporting materials and documentation used to make the compliance determination that the facility or establishments is a covered facility under EPCRA Section 313.	3.0.2
IC, Contractors	6.9.4	Retain for a period of three years from the date of the submission of a TRI report documentation supporting any determination that a claimed allowable exemption under TRI applies.	3.0.3
IC	6.9.5	Retain for a period of three years from the date of the submission of a TRI report data supporting the determination of whether a threshold applies for each TRI chemical.	3.0.4
IC, Contractors	6.9.6	Retain for a period of three years from the date of the submission of a TRI report documentation supporting the calculations of the quantity of each TRI chemical released to the environment or transferred to an offsite location.	3.0.5
Contractors	6.9.7	Retain for a period of three years from the date of the submission of a TRI report documentation supporting the use indications and quantity onsite reporting for each TRI chemical, including dates of manufacturing, processing, or use.	3.0.6

NOTE: The specific dates of manufacturing,

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		processing, or use of a TRI chemical is not required. Instead, only the year is required (e-mail response from EPA Region 10 TRI Program Manager, Brook Madrone, June 23, 2010).	
IC, Contractors	6.9.8	Retain for a period of three years from the date of the submission of a TRI report documentation supporting the basis of estimate used in developing any release or offsite transfer estimates for each TRI chemical.	3.0.7
IC, Contractors	6.9.9	Retain for a period of three years from the date of the submission of a TRI report receipts or manifests associated with the transfer of each TRI chemical in waste to offsite locations.	3.0.8
IC, Contractors	6.9.10	Retain for a period of three years from the date of the submission of a TRI report documentation supporting reported waste treatment methods, estimates of treatment efficiencies, ranges of influent concentration to such treatment, the sequential nature of treatment steps, if applicable, and the actual operating data, if applicable, to support the waste treatment efficiency estimate for each TRI chemical.	3.0.9
IC, Contractors	6.9.11	Maintain records at the Hanford Site and have records readily available for purposes of inspection by EPA. NOTE: Copies may be used in lieu of original documents.	3.0.12
IC	6.9.12	<i>Alternate Threshold and Certification:</i> Retain for a period of three years from the date of the submission of the certification statement (Form A) a copy of each certification statement (Form A) submitted.	3.0.13
IC	6.9.13	<i>Alternate Threshold and Certification:</i> Retain for a period of three years from the date of the submission of the certification statement (Form A) all supporting materials and documentation used to make the compliance determination that the facility or establishment is eligible to apply the alternate threshold.	3.0.14

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IC, Contractors	6.9.14	<i>Alternate Threshold and Certification:</i> Retain for a period of three years from the date of the submission of the certification statement (Form A) data supporting the determination of whether the alternate threshold specified applies for each TRI chemical.	3.0.15
IC, Contractors	6.9.15	<i>Alternate Threshold and Certification:</i> Retain for a period of three years from the date of the submission of the certification statement (Form A) documentation supporting the calculation of annual reportable amount for each TRI chemical, including documentation supporting the calculations and the calculations of each data element combined for the annual reportable amount.	3.0.16
Contractors	6.9.16	<i>Alternate Threshold and Certification:</i> Retain for a period of three years from the date of the submission of the certification statement (Form A) receipts or manifests associated with the transfer of each chemical in waste to offsite locations.	3.0.17

7.0 EMERGENCY PLANNING (40 CFR 355)

Section 302 of EPCRA requires facilities to provide information regarding EHSs present at the facility to state and local emergency planning agencies. The two types of notifications required under Section 302 are:

- *Emergency Planning Notification* (40 CFR 355.20(a)): A facility must provide notification to the SERC and LEPC within 60 days after the facility has an EHS present onsite at or above its TPQ.
- *Changes relevant to emergency planning* (40 CFR 355.20(c)): A facility must provide notice to the LEPC of any changes occurring at the facility that may be relevant to emergency planning within 30 days of such changes. Examples of changes that can trigger notifications were provided in the preamble of the rule (73 FR 65452). Examples of changes relevant to emergency planning include instances when a facility is no longer in operation, new EHSs are present at the facility, EHSs are moved to a different location at the facility, and EHSs are no longer present at the facility. **NOTE:** It has been interpreted that movement of an EHS within the Hanford Site may be relevant to emergency planning only when the site-wide aggregate total for the EHS exceeds the TPQ.

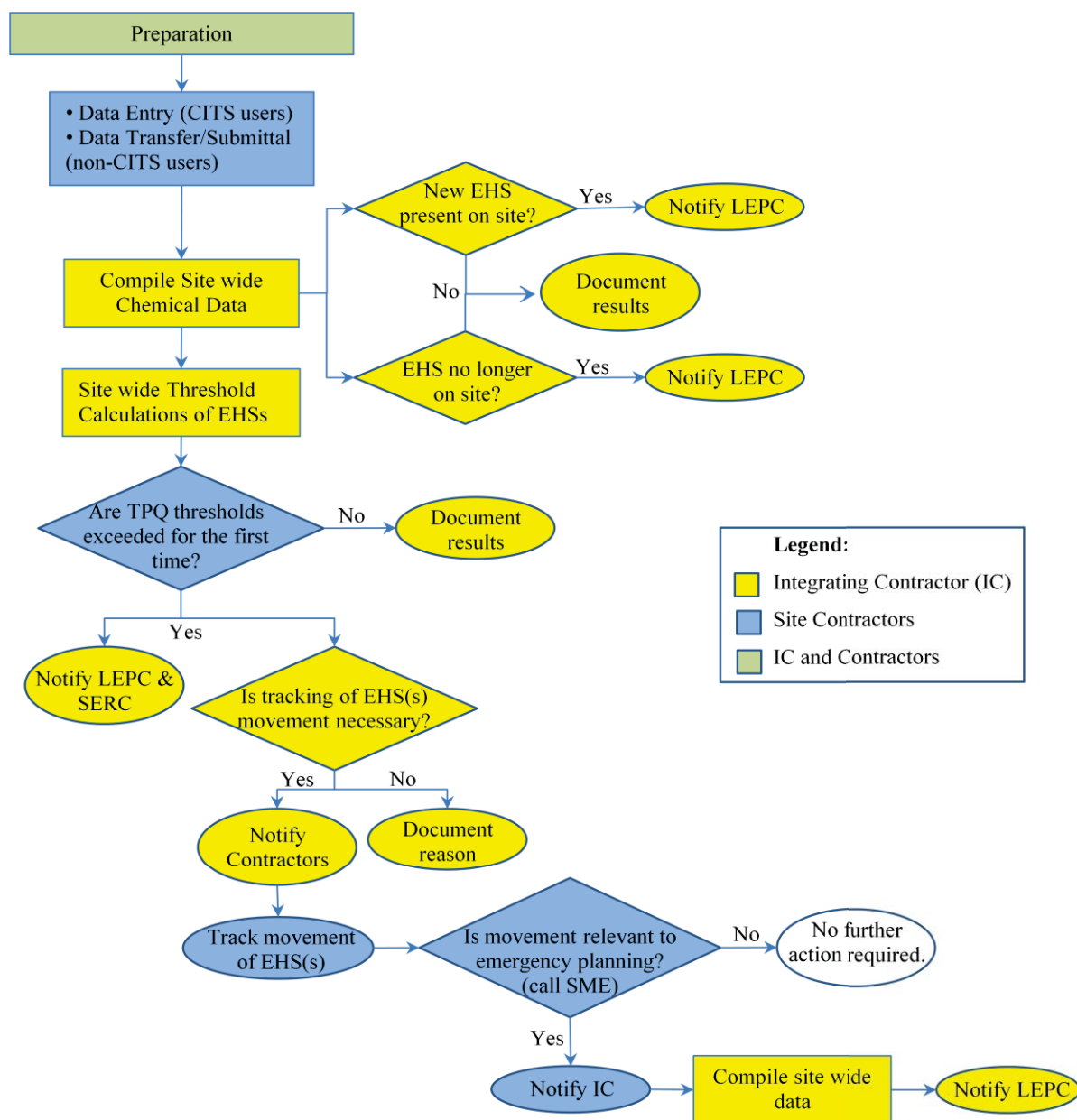
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The *de minimis* exemption permits facilities to disregard the amount of an EHS that is present in a mixture if its concentration is less than or equal to one percent (40 CFR 355.13). There are no other exemptions under Section 302 of EPCRA.

The list of EHSs and their TPQs are listed in 40 CFR 355, Appendices A and B.

Figure 5 shows the emergency planning notification process.

Figure 5. Emergency Planning Notifications Process.



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7.1 Preparation

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	7.1.1	<p>Assign and provide to the IC a POC, such as a project manager, environmental manager, ECO, for EPCRA reporting. The POC shall be responsible for coordinating activities within their respective company and on behalf of Subcontractors to ensure streamlined/single-POC communications with the integrating contractor. Coordination activities shall include but not be limited to the following:</p> <ul style="list-style-type: none"> • Data gathering; • Internal communications; and • Issue resolution. 	5.0.2

7.2 Data Entry

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors (CITS-users)	7.2.1	<p>For products containing an EHS (>1 percent concentration), enter inventory item information into the CITS active inventory within 14 days of acquiring the product. Entry of inventory item information includes requesting addition of any "new" product into CITS by the CITS Data Administrator.</p> <p>For products that do not contain an EHS, they must be entered into CITS active inventory within 45 days of acquiring new product.</p> <p>NOTE: Inventory item information for products containing EHSs that are less than or equal to one percent concentration do not have to be entered (<i>de minimis</i> exemption). Entry of product information may be required under other sections of this procedure.</p>	5.4.1
Contractors (CITS-users)	7.2.2	<p>Work with CITS Administrator to move items from temporary inventory to active inventory within 14 days of acquiring the product. If an inventory item cannot be moved to the CITS active inventory by the due date, submit inventory item information directly to the IC.</p>	5.4.2

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
CITS Data Administrator	7.2.3	Maintain configuration control for MSDSs and MSDS changes. Cross reference MSDSs between Contractors. NOTE: Some Contractors do not use the Hanford Site MSDS system. As applicable, enter MSDS information into the CITS database (e.g., constituents and constituent concentrations, densities, vapor pressure, flash point, physical properties, hazard information, CAS numbers, various database codes that support EPCRA data-processing, etc.).	5.6.1-5.6.3
WTP-CC	7.2.4	Within each 14-day period (dates to be determined by the IC), submit to the IC chemical data for any new products containing EHS(s) and/or increases to inventory quantities of products containing EHS(s). The data shall include the relevant MSDSs, product amounts, container types, and container location. The data submittals shall address changes regarding EHSs (>1% concentration), relative to the most recent annual Tier Two report. As updated information is provided to the IC, the prior annual Tier Two baseline from which data changes are assessed against will be adjusted accordingly.	5.4.3
RCC	7.2.5	Ensure that inventory item information for products that contain an EHS (>1% concentration) is entered into the CID within 14 days of receiving chemical products.	5.4.4
RCC	7.2.6	Transfer inventory item information for products that contain an EHS (>1% concentration) to the IC within each 14-day period (dates to be determined by the IC). NOTE: Changes to the data transfer requirements must be approved by both RCC and the IC. If RCC and the IC are unable to resolve disagreements regarding data transfer requirements, DOE will	5.4.5

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		render decisions, as applicable, to resolve disputes.	
Contractors	7.2.7	<p><i>EHS(s) in waste storage and landfills:</i> Contractors shall estimate the concentration of EHS(s) in waste storage and landfills. The initial estimate shall serve as a baseline. If the contents of the waste storage/landfill is changed such that the concentration of EHS(s) increases (e.g. a new waste profile has an EHS which could raise the total EHS concentration to >1 percent), Contractors shall re-evaluate the waste storage and landfills (e.g. Low-Level Burial Grounds, Tank Farms, Environmental Restoration Disposal Facility, etc.) for EHS(s) within 14 days of the change. Provide to the IC information regarding EHSs in landfills within each 14-day period (dates to be determined by the IC).</p> <p>NOTE: A one percent <i>de minimis</i> level exemption can be applied to the contents of the entire waste storage and/or landfill. Therefore, if the total weight of an EHS is less than or equal to one percent of the total weight of the storage or landfill waste, then the amount of EHS from the waste storage or landfill does not need to be counted towards the site-wide threshold determination.</p>	5.4.6
Contractors	7.2.8	<p><i>Data Completeness:</i> Ensure adequacy of data made available to the IC for purposes of site-wide implementation of EPCRA requirements.</p>	5.0.3
Contractors	7.2.9	<p><i>Transportation and Storage:</i> Ensure compliance with EPCRA requirements for chemical orders that are stored at the Warehouse or at other locations for time periods not incidental to transportation.</p> <p>NOTE: Chemicals that are being transported and/or are being stored incidental to transportation are exempt from EPCRA requirements, except for EPCRA Section 304 requirements (paraphrased from 42 USC 11047). Storage incidental to transportation may include but is not limited to temporary storage at: Warehouse(s); Material Coordinator work stations; bar coding stations; etc.). Contractors are responsible for applying case-by-case judgment when</p>	5.0.4

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		determining if chemical storage is or is not incidental to transportation.	

7.3 Compile Chemical Data

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	7.3.1	<u>Changes relevant to Emergency Planning:</u> Every 15 days, compile site-wide chemical data and determine if a new EHS is present at the Hanford Site.	1.0.6c, 5.4.7
IC	7.3.2	<u>Changes relevant to Emergency Planning:</u> Every 15 days, compile site-wide chemical data and determine if an EHS is no longer present at the Hanford Site.	1.0.6d, 5.4.8
IC	7.3.3	<u>Emergency Planning Notification:</u> Every 30 days, compile site-wide chemical data and isolate needed information for subsequent processing.	5.4.9

7.4 Site-Wide Threshold Calculations

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	7.4.1	Every 30 days, using the EPCRAdb, aggregate the quantities of each EHS present at the Hanford Site.	1.0.2, 5.4.10
IC	7.4.2	Review aggregate totals for accuracy. Identify and resolve errors with appropriate contractor.	5.0.5
IC	7.4.3	Compare the aggregate total of each EHS present at the Hanford Site to the associated TPQ and identify which EHS(s) exceed the TPQ for the first time.	1.0.2, 5.4.11

7.5 Reporting

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	7.5.1	<u>Changes relevant to Emergency Planning:</u> Within 30 days of occurrence, prepare and submit notice to the LEPC if a new EHS is present at the Hanford Site.	1.0.6, 1.0.6c
IC	7.5.2	<u>Changes relevant to Emergency Planning:</u> Within 30 days of occurrence, prepare and submit notice to the LEPC if an EHS is no longer present at the Hanford Site.	1.0.6, 1.0.6d

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	7.5.3	<u>Emergency Planning Notification:</u> For each EHS aggregate total that exceeds the TPQ, prepare and submit notice to the SERC and LEPC within 60 days after the EHS aggregate total exceeds the TPQ for the first time.	1.0.3
IC, Contractors	7.5.4	Upon request, promptly provide to the LEPC any information necessary for developing or implementing the local emergency plan.	1.0.7

7.6 Tracking Movement and Reporting

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	7.6.1	If a new EHS exceeds the TPQ for the first time, notify Contractors and inform Contractors of the need to track movement.	5.4.12

For each EHS that exceeds the TPQ, inform Contractor reporting POCs if the EHS is ubiquitous (i.e., found in numerous products throughout the Hanford Site) and therefore does not require movement tracking (e.g., nitric acid and sulfuric acid).

NOTE: A graded approach is used for tracking of EHS movements. Rather than tracking the movement of all EHSs, Contractors track only those EHSs that exceed the TPQ, when aggregated site-wide.

NOTE: Movement of an EHS that is ubiquitous at the Hanford Site is not considered relevant to emergency planning.

Contractors	7.6.2	Track the movement of EHSs, identified by IC. Tracking shall be performed as follows: If EHS movement occurs, contact an appropriate Subject Matter Expert (SME) (e.g., Hanford Fire Marshall, Hanford Site Emergency Preparedness organization, EPCRA SME, Industrial Hygiene) to determine if the movement of an EHS is relevant to emergency planning.	5.4.13
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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	7.6.3	Notify the IC of any movement of an EHS that is relevant to Emergency Planning within 15 days of the movement.	5.4.14
IC	7.6.4	Notify LEPC of site-wide data regarding movement of EHS(s) that is relevant to emergency planning.	5.4.15

7.7 Recordkeeping

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	7.7.1	Comply with recordkeeping requirements in MSC-PRO-10588.	1.0.6b, 5.0.7

8.0 EMERGENCY RELEASE NOTIFICATION (40 CFR 355)

Section 304 (Emergency Release Notification) of EPCRA requires facilities to notify state and local authorities responsible for local emergency planning if there is a release at the facility of an EHS or a CERCLA hazardous substance in excess of the reportable quantity (RQ) for that substance within a 24-hour period, and the release could result in exposure of persons outside the boundary of the facility. Notifications must be submitted to the SERC and LEPC.

NOTE: The definition of “facility” under EPCRA and CERCLA are different. For the EPCRA definition of facility, which is applicable to reportable releases of EHSs, see Section 3.0 of this document.

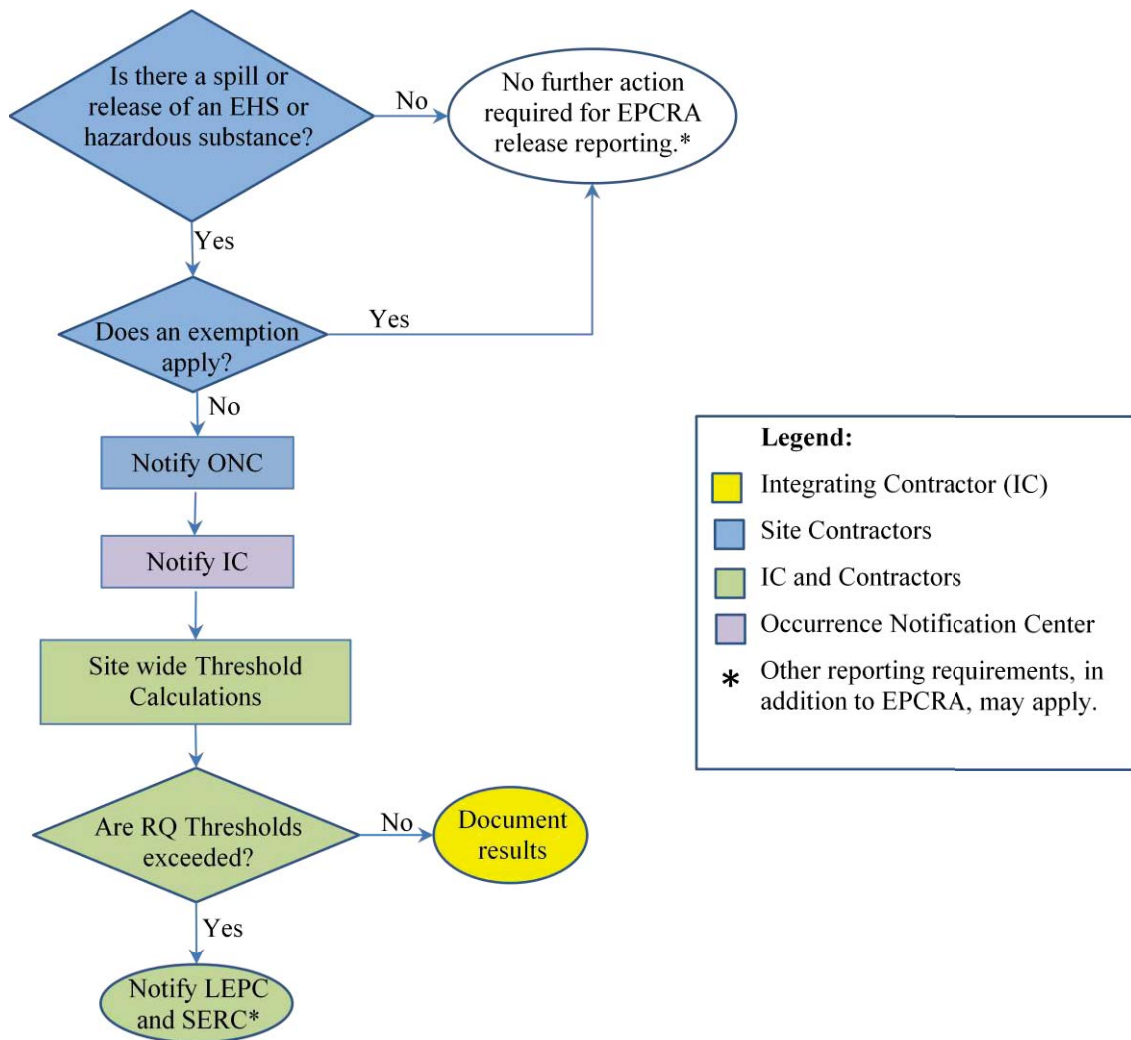
The list of EHSs and their RQs are listed in Appendix A and B of 40 CFR 355. There are two categories of CERCLA hazardous substances: listed and unlisted. All listed substances and their corresponding RQs are found in 40 CFR 302.4. Unlisted hazardous substances are those solid wastes that exhibit any of the characteristics identified in Subpart C of 40 CFR 261 (the Resource Conservation and Recovery Act of 1976 "D" wastes). Ignitable (D001), corrosive (D002), and reactive wastes (D003) have a RQ of 100 pounds, while those wastes exhibiting the Toxicity Characteristic (D004-D043) have the RQ listed in 302.4 for the specific contaminant on which the characteristic was based.

Releases of EHSs or CERCLA hazardous substances that are exempt from EPCRA Section 304 are provided in Appendix C.

Figure 6 shows the emergency release notification process.

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Figure 6. Emergency Release Notification Process.



8.1 Preparation

Actionee	Step	Action	RTM Req't ID #
IC, Contractors	8.1.1	Review current list of EHSs and their RQs (40 CFR 355, Appendices A and B).	5.5.1
IC, Contractors	8.1.2	Review both categories of CERCLA hazardous substances (listed and unlisted) and their RQs (40 CFR 302.4).	5.5.2

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8.2 Exemptions

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	8.2.1	Determine if EHS or CERCLA hazardous substance release/spill is exempt from Emergency Release Notification requirements (see Appendix C).	5.5.3

8.3 Notifications to the Occurrence Notification Center and the Integration Contractor

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
Contractors	8.3.1	Notify the Occurrence Notification Center (ONC) of non-exempt EHS or CERCLA hazardous substance spills/releases. This requirement applies to both non-continuous and continuous spills/releases.	5.5.4
ONC	8.3.2	Notify the IC of non-exempt EHS or CERCLA hazardous substance spills/releases. This requirement applies to both non-continuous and continuous spills/releases.	5.5.5

8.4 Site-Wide Threshold Calculation

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	8.4.1	Determine if site-wide spill/release of EHS or CERCLA hazardous substance exceeds RQ threshold. NOTE: Contractors may choose to make independent/separate determinations regarding RQ exceedance at the site-wide level. NOTE: See discussion regarding EPCRA and CERCLA definitions of facility in the introduction of this section.	5.5.6

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8.5 Notifications to the Local Emergency Planning Committee, State Emergency Response Commission, and National Response Center

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC, Contractors	8.5.1	<p><i>Immediate Notification:</i> Immediately inform the LEPC and SERC via phone call regarding spill/release of EHSs or CERCLA hazardous substance above the RQ. The immediate notification shall must be completed within 15 minutes of knowledge of a reportable release (Enforcement Response Policy for Sections 304, 311, and 312 of EPCRA and Section 103 of CERCLA, September 30, 1999, http://www.epa.gov/compliance/resources/policies/civil/epcra/epcra304.pdf).</p> <p>Any such notifications shall be coordinated with the Contractors responsible for EHS or CERCLA hazardous substance releases.</p>	1.1.6, 1.1.6a, 1.1.8, 1.1.10-1.1.13, 1.1.15, 1.1.17, 5.5.7

The immediate notification shall include as much of the following information known at the time:

- The chemical name or identity of any substance involved in the release.
- Indicate whether the substance is an EHS.
- Provide an estimate of the quantity of any such substance that was released into the environment.
- State the time and duration of the release.
- The medium or media into which the release occurred.
- Any known or anticipated acute or chronic health risks associated with the emergency and, where appropriate, advice regarding medical attention necessary for exposed individuals.
- Proper precautions to take as a result of the release, including evacuation (unless such information is readily available to the community emergency coordinator pursuant to the emergency plan).
- The name and telephone number of the individual

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		(or individuals) to be contacted for further information.	
		IC involvement with the notification is optional. Contractors have the option to perform this responsibility without IC involvement. However, the contractor must inform the IC of relevant information concerning the release so that a site-wide threshold calculation can be performed on an as needed basis for other potential concurrent releases (location, release quantity, EHS or CERCLA hazardous substance identity, release rate, etc.).	
		NOTE: If the release involves a CERCLA hazardous substance only, the Contractor responsible for the release does not need to notify the ONC or the IC.	
IC, Contractors	8.5.2	<p><i>Written Follow-up Notification:</i> Prepare and submit to the LEPC and SERC the written follow-up emergency release notification for releases of EHSs or CERCLA hazardous substances above the RQ, within 30 days after the release. Any such notifications shall be coordinated with the Contractors responsible for EHS or CERCLA hazardous substance releases.</p> <p>The written follow-up notification shall provide and update the information required in the immediate notification and include additional information with respect to all of the following:</p> <ul style="list-style-type: none"> • Actions taken to respond and contain the release. • Any known or anticipated acute or chronic health risks associated with the release. • Where appropriate, advice regarding medical attention necessary for exposed individuals. <p>IC involvement with the notification is optional. Contractors have the option to perform this responsibility without IC involvement.</p> <p>NOTE: According to a recent EPA guidance,</p>	1.1.7, 1.1.7a, 1.1.9-1.1.13, 1.1.15, 1.1.17, 5.5.8

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		<p>facilities may have up to 30 days to submit a written follow-up report to the SERC and LEPC (73 FR 65452). However, states may implement more stringent requirements. Ecology requires submittal of a written follow-up notification within 14 days of a release (“Section 304 - Emergency Release Notification, http://www.ecy.wa.gov/epcra/section304.html).</p>	
IC, Contractors	8.5.3	<p>In accordance with 40 CFR 355.32(a), for continuous releases provide initial notifications as specified in 40 CFR 302.8 (d) and (e) to the community emergency coordinator for the LEPC for any area likely to be affected by the release and to the SERC of any State likely to be affected by the release. Any such notifications shall be coordinated with the Contractors responsible for EHS or CERCLA hazardous substance releases.</p> <p>IC involvement with the notification is optional. Contractors have the option to perform this responsibility without IC involvement.</p>	1.1.2
IC, Contractors	8.5.4	<p>In accordance with 40 CFR 355.32(b), for continuous releases, provide notification of a “statistically significant increase,” defined in 40 CFR 302.8, to the community emergency coordinator for the LEPC for any area likely to be affected by the release and to the SERC of any State likely to be affected by the release. Any such notifications shall be coordinated with the Contractors responsible for EHS or CERCLA hazardous substance releases.</p> <p>IC involvement with the notification is optional. Contractors have the option to perform this responsibility without IC involvement.</p>	1.1.3
IC, Contractors	8.5.5	<p>In accordance with 40 CFR 355.32(c), for continuous releases provide notification of a “new release” as specified in 40 CFR 302.8(g)(1) to the community emergency coordinator for the LEPC for any area likely to be affected by the release and to the SERC of any State likely to be affected by the release. Any such notifications shall be coordinated with the</p>	1.1.4

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
		Contractors responsible for EHS or CERCLA hazardous substance releases.	
		IC involvement with the notification is optional. Contractors have the option to perform this responsibility without IC involvement.	
IC, Contractors	8.5.6	In accordance with 40 CFR 355.32(d), for continuous releases, provide notification of a “change in the normal range of the release” as specified under 40 CFR 302.8(g)(2) to the community emergency coordinator for the LEPC for any area likely to be affected by the release and to the SERC of any State likely to be affected by the release. Any such notifications shall be coordinated with the Contractors responsible for EHS or CERCLA hazardous substance releases.	1.1.5
		IC involvement with the notification is optional. Contractors have the option to perform this responsibility without IC involvement.	
Contractors	8.5.7	For reportable releases of CERCLA hazardous substances, comply with the release notification requirements of CERCLA Section 103 and its implementing regulations (40 CFR 302).	1.1.12, 1.1.14, 1.1.16

8.6 Recordkeeping

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	8.6.1	Comply with recordkeeping requirements in MSC-PRO-10588.	5.0.7

NOTE: This requirement applies if the IC is involved in the threshold calculation.

9.0 CHEMICAL INVENTORY TRACKING SYSTEM DATABASE ADMINISTRATOR RESOURCE PLANNING

An important component of EPCRA requirements implementation is management of MSDSs. The MSDS management activities include but are not limited to:

- Maintaining configuration control for MSDSs and MSDS changes;

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- Cross referencing MSDSs between Contractors to enable an integrated/site-wide EPCRA requirements implementation program (Note: Some Contractors do not use the Hanford Site MSDS system); and
- Entering MSDS information into the CITS database (e.g., constituents and constituent concentrations, densities, vapor pressure, flash point, physical properties, hazard information, CAS numbers, various database codes that support EPCRA data-processing, etc.).

The demand for MSDS support varies throughout the year. In order to ensure that resources are adequate to meet the demands, the integrating contractor will solicit work planning information from the Site Contractors (i.e., forecast information). Note: Ensuring adequate resources for timely MSDS processing is important, because there are time limits associated with the EPCRA requirements.

<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
CITS Data Administrator	9.1	Approximately twice per year, issue an e-mail message to Contractors requesting forecast information regarding MSDS processing and CITS data entry activities. Incorporate contractor input in resource planning activities, as applicable, in an effort to furnish Contractors with timely and quality MSDS tracking and CITS data management services.	5.6.5, 5.6.6

10.0 METRICS

To be consistent with Core Function 5 (Feedback and Improvement) of ISMS, performance metrics will be established and analyzed to evaluate the effectiveness of the EPCRA requirements implementation process. Such metrics may include but are not limited to:

- Documenting the amount of CITS Product IDs with missing or incorrect MSDS information (e.g. density, chemical constituents) in CITS.
- Tracking fixed inventory items with incorrect maximum quantity. For example the maximum quantity of a fixed inventory item in CITS may be changed during the reporting year to zero when the item is moved to a different location and therefore assigned a different CITS Container number, or when the item is depleted but the Product ID is kept as a placeholder. This scenario is a potential cause for under reporting.
- Documenting the amount of errors in chemical data discovered while performing chemical data validation (e.g. amount used, units, etc.).

The knowledge gained from the metrics information will be applied to future work as applicable to promote continual improvement of the EPCRA requirements implementation process.

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<i>Actionee</i>	<i>Step</i>	<i>Action</i>	<i>RTM Req't ID #</i>
IC	10.1	Establish and analyze performance metrics to evaluate the effectiveness of the EPCRA requirements implementation process.	5.7.1

11.0 REFERENCES

- 29 CFR 1910, Subpart Z, "Occupational Safety and Health Standards," Title 29, *Code of Federal Regulations*, Part 1910.
- 40 CFR 261, "Identification and Listing of Hazardous Waste," Title 40, *Code of Federal Regulations*, Part 261.
- 40 CFR 302, "Designation, Reportable Quantities, and Notification," Title 40, *Code of Federal Regulations*, Part 302.
- 40 CFR 355, "Emergency Planning and Notification," Title 40, *Code of Federal Regulations*, Part 355.
- 40 CFR 370, "Hazardous Chemical Reporting: Community Right-To-Know," Title 40, *Code of Federal Regulations*, Part 370.
- 40 CFR 372, "Toxic Chemical Release Reporting: Community Right-To-Know," Title 40, *Code of Federal Regulations*, Part 372.
- 73 FR 65452, 2008, "Emergency Planning and Community Right-To-Know Act; Amendments to Emergency Planning and Notification; Emergency Release Notification and Hazardous Chemical Reporting," *Federal Register*, Vol. 73, pp. 65452-65484 (November 3)
- 75 FR 39852, 2010 "Guidance on Reporting Options for EPCRA 311/312 and Interpretations," *Federal Register*, Vol. 75, pp. 39852-39859 (July 13)
- 42 USC 11047, "Exemption," *United States Code*, Title 42, Chapter 116, Section 11047
- DOE Policy 450.4, *Safety Management System Policy*, U.S. Department of Energy, Washington, D.C.
- Enforcement Response Policy for Sections 304, 311, and 312 of EPCRA and Section 103 of CERCLA, September 30, 1999,
<http://www.epa.gov/compliance/resources/policies/civil/epcra/epcra304.pdf>.
- Environmental Protection Agency's (EPA) EPCRA Frequent Questions,
<http://www.epa.gov/oem/content/epcra/epcra-qa.htm>
- EPA TRI Program, <http://www.epa.gov/tri/>
- EPA's TRI-ME Web, https://cdx.epa.gov/SSL/CDX/EPA_Home.asp
- EPA EPCRA Requirements, <http://www.epa.gov/oem/content/epcra/index.htm>
- E-mail response from EPA Region 10 TRI Program Manager, Brook Madrone, June 23, 2010, "TRI Question Regarding Dates of Use"
- MSC-PRO-10588, *Records Management Processes*
- State of Washington, Department of Ecology's EPCRA Website, <http://www.ecy.wa.gov/epcra/>
- TRI Reporting Forms and Instructions, Revised 2009 Version,
<http://www.epa.gov/tri/report/rfi/ry2009rfi121709.pdf>
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APPENDIX A Toxics Release Inventory Exemptions (Paraphrased from 40 CFR 372.38)

De minimis concentration: Products containing TRI chemicals at concentrations below the *de minimis* level. The *de minimis* level is 0.1 percent for carcinogens and 1 percent for the remainder of the TRI chemicals except those that are persistent, bioaccumulative, or toxic (PBT). There are no *de minimis* levels for PBT chemicals.

Articles: A TRI chemical present in an article. An article is a manufactured item: (1) Which is formed to a specific shape or design during manufacture; (2) which has end use functions dependent in whole or in part upon its shape or design during end use; and (3) which does not release a TRI chemical under normal conditions of processing or use of that item at the facility or establishments.

Structural component: Otherwise use of products containing TRI chemicals as a structural component of the facility.

Janitorial or facility grounds maintenance: Otherwise use of products containing TRI chemicals in routine janitorial or facility grounds maintenance.

Vehicle maintenance: Otherwise use of products containing TRI chemicals for the purpose of maintaining motor vehicles.

Personal use: Personal uses by employees or other persons at the facility of foods, drugs, cosmetics, or other personal items containing TRI chemicals.

Laboratory use: Manufacturing, processing, or otherwise use of a TRI chemical in a laboratory under the supervision of a technically qualified individual. This exemption does not apply in the following cases: specialty chemical production, manufacture, processing, or use of TRI chemicals in pilot plant scale operations, and activities conducted outside the laboratory.

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APPENDIX B

Hazardous Chemical Exemptions for Material Safety Data Sheet Reporting and Tier Two Reporting (Paraphrased from 40 CFR 370.13)

The following exemptions apply to EPCRA Sections 311 and 312:

FDA regulated products: Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.

Solids: 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.

Personal, family, or household purposes: 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. Present in the same form and concentration as a product packaged for distribution and use by the general public means a substance packaged in a similar manner and present in the same concentration as the substance when packaged for use by the general public, whether or not it is intended for distribution to the general public or used for the same purpose as when it is packaged for use by the general public.
NOTE: “Packaged in a similar manner” has been interpreted to include container size.

Laboratory use: Any substance to the extent it is used in a research laboratory or hospital or other medical facility under the direct supervision of a technically qualified individual; or

Agricultural operations: 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 customers.

Substances for which an MSDS is not required under the Occupational Safety and Health Administration (OSHA) “Hazard Communication Standard” (exemptions listed in 29 CFR 1910.1200(b)(6)):

- (i) Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that Act by the Environmental Protection Agency;
 - (ii) Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation and Liability ACT (CERCLA) (42 U.S.C. 9601 et seq.) when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with the Environmental Protection Agency regulations.
 - (iii) Tobacco or tobacco products;
 - (iv) Wood or wood products, including lumber which will not be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to employees is the potential for flammability or combustibility (wood or wood products
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which have been treated with a hazardous chemical covered by this standard, and wood which may be subsequently sawed or cut, generating dust, are not exempted);

- (v) Articles: any substance present in an article, which is defined as a manufactured item whose function is determined by its shape at the time of manufacture and which does not release a hazardous chemical under normal conditions of use or otherwise present a physical hazard or health risk to employees. *Note: Lead acid batteries are not classified as articles;*
 - (vi) Food or alcoholic beverages which are sold, used, or prepared in a retail establishment (such as a grocery store, restaurant, or drinking place), and foods intended for personal consumption by employees while in the workplace;
 - (vii) Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid, final form for direct administration to the patient (e.g., tablets or pills); drugs which are packaged by the chemical manufacturer for sale to consumers in a retail establishment (e.g., over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g., first aid supplies);
 - (viii) Cosmetics which are packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace;
 - (ix) Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, where the employer can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended;
 - (x) Nuisance particulates where the chemical manufacturer or importer can establish that they do not pose any physical or health hazard covered under this section;
 - (xi) Ionizing and non-ionizing radiation; and,
 - (xii) Biological hazards.
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APPENDIX C Emergency Release Exemptions (40 CFR 355.31)

An emergency release notification does not have to be submitted for any of the following six types of releases of EHSs or CERCLA hazardous substances:

- Any release that results in exposure to persons solely within the boundaries of the facility.
 - Any release that is a federally permitted release as defined in section 101(10) of CERCLA.
 - Any release of a pesticide product that is exempt from reporting under section 103(e) of CERCLA.
 - Any release that does not meet the definition of release under section 101(22) of CERCLA and is therefore exempt from CERCLA section 103(a) reporting.
 - Any radionuclide release that occurs:
 - Naturally in soil from land holdings such as parks, golf courses, or other large tracts of land.
 - Naturally from land disturbance activities, including farming, construction, and land disturbance incidental to extraction during mining activities, except that which occurs at uranium, phosphate, tin, zircon, hafnium, vanadium, monazite, and rare earth mines. Land disturbance incidental to extraction includes: Land clearing; overburden removal and stockpiling; excavating, handling, transporting, and storing ores and other raw (not beneficiated or processed) materials; and replacing in mined-out areas coal ash, earthen materials from farming or construction, or overburden or other raw materials generated from the exempted mining activities.
 - From the dumping and transportation of coal and coal ash (including fly ash, bottom ash, and boiler slags), including the dumping and land spreading operations that occur during coal ash uses.
 - From piles of coal and coal ash, including fly ash, bottom ash, and boiler slags.
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APPENDIX D Chemical Use Information for TRI Reporting

Guidance contained in this appendix was obtained from the TRI Reporting Forms and Instructions, (Revised 2009 Version, <http://www.epa.gov/tri/report/rfi/ry2009rfi121709.pdf>).

All activities involving the manufacture, processing, or otherwise use of TRI chemicals must be considered. Contractors should estimate the total quantity of the TRI chemical used for each activity based on the form in which it is used. If the chemical is present in a mixture or trade name product, provide an estimate of the total quantity of the mixture, along with the specific identity of the mixture. If the chemical is used in a pure form, estimate the amount of the pure chemical. Detailed descriptions of the activities must also be provided.

Threshold determinations are based upon the actual amounts of a TRI chemical manufactured, processed, or otherwise used over the course of the calendar year. The threshold determination may not relate to the amount of a TRI chemical brought on-site during the calendar year. For example, if a stockpile of 100,000 pounds of a non-PBT TRI chemical is present on-site but only 20,000 pounds of that chemical is applied to a process, only the 20,000 pounds processed is counted toward a threshold determination, not the entire 100,000 pounds of the stockpile.

TRI chemicals that end up in waste may help identify chemicals that should be further considered. However, in most cases, the quantity of the chemical that is in the waste is what is "left over" after its use, not the quantity that was used.

If a TRI chemical is recycled or reused during the calendar year in a closed system, only the amount of chemical added to the system is applied toward a threshold. This consideration applies only to closed-loop recycling operations that are physically connected to the process in which the chemical is used. It does not apply to TRI chemicals recycled in a separate system and returned to the process for further use.

Example 1: A process cooling unit uses Freon 12 as a refrigerant. The fully charged unit holds 1000 pounds. The entire 1000 pounds of Freon 12 must be applied to the appropriate threshold during the year it is placed into service. In the following years, only the amount of Freon added to bring the unit to a full charge is applicable towards the threshold.

Example 2: A facility collects antifreeze (50% ethylene glycol) from portable generators at locations throughout the site, consolidates it at a central location for reconditioning, and then returns it to the portable generators. All quantities added to the portable generators are treated as the equivalent of newly purchased product, and are applied to the appropriate threshold.

Common Errors: Chemical activities can be easily overlooked. Any activity involving the manufacture, processing, or otherwise use of a TRI chemical must be included in threshold determinations. Commonly overlooked activities include importing chemicals, generation of waste byproducts, the use of chemicals for cleaning process equipment, and the generation of byproducts during combustion of coal, oil, and other petroleum products. All chemicals used in

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production and non-production capacities should be considered, including catalysts, well treatment chemicals, and wastewater treatment chemicals.

Coincidental manufacturing must not be overlooked. TRI chemicals may be manufactured during waste treatment processes. For example, neutralization of nitric acid results in the manufacture of aqueous nitrate compounds. In addition, acid aerosols may be generated at the surface of large tanks containing sulfuric acid and hydrochloric acid, especially during the filling of the tanks.

Failure to correctly categorize a chemical activity may result in an incorrect threshold determination. A report may not be submitted when one is required. Please provide a detailed description of the activity involving the chemical so that the IC can correctly determine the activity category.

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APPENDIX E Chemical Inventory Information for Tier Two Reporting

The following information is required for each hazardous chemical and chemical product present at any time during the reporting year (i.e., calendar year) that is not specifically excluded from the reporting requirements.

Chemical Identity: The chemical or product name, manufacturer, and Hanford MSDS number. If the MSDS is not in the Hanford MSDS System (for Contractors that do not use the Hanford Site MSDS system), MSDS cross walking will be performed. For mixtures and dilutions prepared onsite, Contractors shall provide the identity and concentration of each of the hazardous ingredients to the IC.

Physical State: Whether the product is a pure chemical or a mixture of chemicals, and whether it is in solid, liquid, or gaseous form. This information is usually available on the MSDS.

Storage Location: The area, building number, room, and floor where the product is/was stored. CITS requires chemical storage to be at Hanford Caretaker Database locations. At a minimum, the building number, room, and floor (if appropriate) must be entered into the Hanford Caretaker Database. Form A-6002-836 must be processed through the CITS Administrator to create a new Hanford Caretaker Database location.

If the product is stored in a shed, yard, or other location that does not have a building number, the location shall be described with respect to other officially numbered buildings or structures listed in the Hanford Caretaker Database. If it is not feasible to meet this criteria, the following approach is available to CITS-users:

- Populate “Building” Field with building of responsible person (i.e. MO 285).
 - Populate “Room” and “Floor” fields with OUTSIDE.
 - Populate “Storage Type” field with TRUCK (Drill Rig or others can be added).
 - “Storage Unit” and “Shelf” can be used to identify Sub-contractor name and Contract #.
 - “Detailed location information” is used by the IC to pinpoint location, so this should be something narrative with landmarks (i.e. Rt 4 mile post 17 west side ¼ mile).
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Container Description: The container the product is packaged in. The following standard container identifiers are used on the Tier Two report. The container description must include enough detail for the IC to assign the appropriate standard identifier.

Above ground tank	Glass bottle/jug	Carboy
Below ground tank	Plastic bottle/jug	Silo
Tank inside building	Can	Tote bin
Steel drum	Bag	Tank wagon
Non-metallic drum (plastic)	Box	Rail car
Fiber drum	Compressed gas cylinder	Other

Storage Conditions: Pressure and temperature conditions the product is stored in. Pressure conditions are reported as atmospheric, greater than atmospheric (such as compressed gas cylinders and pressurized building systems), or less than atmospheric (stored in a vacuum). Temperature conditions are reported as ambient (no temperature control), less than ambient (refrigerated or frozen), greater than ambient (heated), or cryogenic (below -200 degrees Celsius).

Maximum Quantity: The maximum quantity of the product that was present during the reporting year. The IC will make units of measure conversions as needed. For products that are stored in large quantities that fluctuate significantly (such as tanks that are periodically depleted and refilled), an average quantity present during the reporting year will be needed. Once site-wide inventories are compiled and the chemicals that will appear on the Tier Two report are identified, any required average quantities will be requested.

For Contractors using CITS, the majority of the required data described above can be extracted directly from this system. The CITS data may need to be supplemented in some circumstances, such as:

- Bulk tanks that are periodically emptied and refilled (the average quantity may be significantly less than the maximum quantity);
- Reductions in fixed inventory maximum quantity; and
- Hazardous substances not entered into CITS.

For Contractors that do not use the CITS database, data transfers will be made as specified in this procedure.

Lead acid batteries: Lead acid batteries (not associated with starting motor vehicles) need to be reported by weight in pounds. This includes fork-lift batteries, uninterruptible power supply (UPS), and emergency lighting. Fork-lift batteries are reportable only if the fork-lift is battery powered. Batteries in a propane or gas-powered forklift are exempt. The container code for batteries is "Other."
