EPCRA APPLICABILITY **311 & 312**

ENCAMP

COMPLIANCE CENTER OF EXCELLENCE

START

Does your facility store or use hazardous chemicals that require a Safety Data Sheet (SDS) under OSHA?
- ✗ → Not subject to Tier II Reporting
- ✓ →

Does your facility have any **Extremely Hazardous Substances** at or above 500 lbs or the TPQ (whichever is lower) at any one time?
- ✓ → Subject to Tier II Reporting
- ✗ →

Does your facility have any hazardous chemicals required to have a SDS under OSHA over 10,000 pounds at any one time?
- ✓ → Subject to Tier II Reporting
- ✗ →

Is your facility located in one of the following states?
- ✗ → Not subject to Tier II Reporting
- ✓ →

NEVADA

Does your facility have any of the following:
Flammable gases (except cryogenic fluids and Liquefied Petroleum Gases) - 200 cubic feet at NTP

Combustible Liquids (flashpoint at or above 100F and used motor oil) - more than 25 gallons inside a building or 60 gallons outside

Flammable Liquids (flashpoint below 100F) - more than 5 gallons inside a building or 10 gallons outside

Flammable Solids - 100 pounds

Dispensing of combustible or flammable liquid fuel into a motor vehicle (gas station) - Any amount

Nevada Threshold Amounts

- ✗ → Does your facility have any of the following:
Corrosive Gases - 200 cubic feet NTP
Corrosive Liquids - 55 gallons
Corrosive Solids - 100 pounds

OR Explosives in commerical construction (exemptions map apply) - 50 pounds
  - ✗ → Does your facility have any of the following:
Toxic Gases - any amount
Toxic Liquids - 10 gallons
Toxic Solids - 100 pounds
OR
Highly Toxic Gases, Liquids or Solids - any amount
    - ✗ → Does your facility have any of the following:
Organic Peroxide Liquids: Class I or II - any amount, Class III - 1 gallon, Class IV - 2 gallons, Class V - no permit required

Organic Peroxide Solids: Class I or II - any amount, Class III - 10 pounds, Class IV - 20 pounds, Class V - no permit required
      - ✗ → Does your facility have any of the following:
Oxidizing Gases (including oxygen) - 504 cubic feet NTP

Oxidizing Liquids: Class 4 - any amount, Class 3 - 1 gallon (exception may apply), Class 2 - 10 gallons, Class 1 - 55 gallons

Oxidixing Solids: Class 4 - any amount, Class 3 - 10 pounds (exception may apply), Class 2 - 100 pounds, Class 1 - 500 pounds

OR Pyrophoric Materials (Gases, Liquids, Solids) - any amount
        - ✗ → Does your facility have any of the following:
Unstable (Reactive) Liquids: Class 4 or 3 - any amount, Class 2 - 5 gallons, Class 1 - 10 gallons

Unstable (Reactive) Solids: Class 4 or 3 - any amount, Class 2 - 50 pounds, Class 1 - 100 pounds
OR
Water-reactive Liquids: Class 3 - any amount, Class 2 - 5 gallons, Class 1 - 55 gallons

Water-reactive Solids: Class 3 - any amount, Class 2 - 50 pounds, Class 1 - 500 pounds
          - ✗ → Not subject to Tier II Reporting
          - ✓ → Subject to Tier II Reporting
        - ✓ → Subject to Tier II Reporting
      - ✓ → Subject to Tier II Reporting
    - ✓ → Subject to Tier II Reporting
  - ✓ → Subject to Tier II Reporting
- ✓ → Subject to Tier II Reporting

MARYLAND

Is your facility in **Montgomery County**?
- ✓ → Does your facility use, process, transfer, store, or manufacture hazardous substances that exceed a minimum threshold of 5 gallons or 50 pounds?
  - ✓ → Your facility is subject to Montgomery County's Hazardous Materials Permitting Program. Facilities who meet EPCRA thresholds, must follow normal SERC Tier II reporting, as well.
- ✗ → Not subject to Tier II Reporting

MISSOURI

Does your facility have explosives or blasting agents in excess of 100 pounds and store them longer than 15 days?
- ✓ → Subject to Tier II Reporting
- ✗ →

ALASKA

Does your facility have any quantity of the following **DOT Hazard Classes**? **A.** Explosives Class I, Division 1.1 **B.** Explosives Class I, Division 1.2 and 1.3 {excludes black powder, smokeless gunpowder and ammunition} **C.** Poison Gas Class 2, Division 2.3 **D.** Poison Class 6, Division 6.1 **E.** Flammable Solid Class 4, Division 4.1, 4.2 and 4.3 **F.** Radioactive Class 7
- ✗ → Is your facility located in **Anchorage**?
  - ✓ → Does your facility have any hazardous material in quantities of 4,500 pounds or more in a single day?
    - ✓ → Subject to Tier II Reporting
    - ✗ → Does your facility have hazardous waste in quantities of 220 pounds or more or acute hazardous waste in 2.2 pounds or more?
      - ✓ → Subject to Tier II Reporting
      - ✗ → Does your facility have compressed gas with a hazard rating of 1 or 2 in quantities of 1,000 cubic feet or more? Or compressed gas with a hazard rating of 3 or 4 in quantities of 200 cubic feet or more?
        - ✓ → Subject to Tier II Reporting
        - ✗ → Does your facility have a consumer commodity of a hazardous material in quantities of 1,000 pounds or more when present at a facility longer than 14 days prior to placement for display or sale?
          - ✓ → Subject to Tier II Reporting
          - ✗ → Not subject to Tier II Reporting
- ✓ → Subject to Tier II Reporting

CALIFORNIA

Does your facility have hazardous materials in quantities equal to or greater than 500 pounds (solid), 55 gallons (liquid), or 200 cubic feet (gas)? **CA Business Plan Requirements**
- ✓ → Subject to Tier II Reporting
- ✗ → Not subject to Tier II Reporting

DELAWARE

Does your facility have any hazardous substances including EHSs over 55 gallons, 500 pounds, or the TPQ (whichever is lower)? **Reporting Requirements - DNREC**
- ✓ → Subject to Tier II Reporting
- ✗ → Not subject to Tier II Reporting

LOUISIANA

Does your facility have any hazardous chemical present at 500 pounds or more (or the TPQ whichever is lower)on site on any single day? **LA Hazardous Materials Regulations**
- ✓ → Subject to Tier II Reporting
- ✗ → Not subject to Tier II Reporting

NEW JERSEY

Does your facility have any hazardous material on **The NJ EHS List** at or above the threshold limit?
- ✓ → Subject to Tier II Reporting
- ✗ → Not subject to Tier II Reporting

OREGON

Does your facility have any **Highly Toxic** [definitions (35)] or explosive material equal to or greater than 5 gallons (liquid), 10 pounds (solid), 20 cubic feet (gas) OR any amount of Radioactive Substances? **OR Reporting Thresholds**
- ✓ → Subject to Tier II Reporting
- ✗ → Does your facility have any hazardous substance at or in quantities equal to or greater than 500 gallons, cubic feet or pounds ?

OR Non-liquefied gases - 500 cubic feet or more, Liquefied Gases - 500 gallons?
  - ✓ → Subject to Tier II Reporting
  - ✗ → Not subject to Tier II Reporting

VERMONT

Does your facility have any **Hazardous Chemicals** on site over 100 pounds or the TPQ (whichever is lower)? OR Does your facility have petroleum products/fuels or road salts at 10,000 pounds or more onsite? OR Known Human Carcinogens in any amount? OR Explosives in any amount or 100 lbs OR greater for Initiator's?
- ✓ → Subject to Tier II Reporting
- ✗ → Is your facility a Research Laboratory which has an aggregate of all EHS - 10 lbs or greater? OR an aggregate of all other haz chemicals - 100 lbs or greater? OR Petroleum Products/Fuels 10,000 pounds or more? OR Known Human Carcinogens - in any amount? OR Explosives - in any amount or 100 lbs or greater for Initiator's?
  - ✓ → Subject to Tier II Reporting
  - ✗ → Not subject to Tier II Reporting

ARIZONA

Is your facility in the town of Gilbert?
- ✓ → Subject to Tier II Reporting
- ✗ → Not subject to Tier II Reporting

NORTH CAROLINA

Is your facility in Alamance or Wake County?
- ✓ → Does your facility have hazardous chemicals greater than or equal to 55 gallons or 500 pounds/the TPQ (whichever is lower)
Alamance Brunswick Dare Davidson Wake
  - ✓ → Subject to Tier II Reporting
  - ✗ → Not subject to Tier II Reporting
- ✗ → Does your facility have hazardous chemicals above:
55 gal (liquid)
200 cubic ft (gas)
500 lbs (solid)
2500 lbs (aerosols)
  - ✓ → Subject to Tier II Reporting
  - ✗ → Not subject to Tier II Reporting