



Alabama Emergency Response Commission (AERC) Updates

The AERC met virtually on October 19, 2021. The current AEMA point of contact for the AERC is Ricky Adams. Mr. Adams explained at the meeting that he is planning to create an updated list of all the Local Emergency Planning Committees (LEPCs) with updated contact information. Grady Springer presented the ADEM/RRT Updates. The ADEM Emergency Response Program had a total of 316 release notifications and 63 responses by ADEM staff in the last 4 quarters. Beth Woodfin presented updates for the Emergency Planning and Community Right-to-Know Act (EPCRA). There were 3,704 Tier II reports filed for the 2020-filing season.

The EPA released a new guidance document titled, “EPA Guide to the Emergency Planning and Community Right-to-Know Act” and can be accessed [here](#). Although the guidance document is 13 pages, it actually puts the regulatory information in an easy to understand format. ADEM has received several EPCRA documents in an improper format lately and would like to highlight some pertinent information from the document. On page 6 of the guidance document, it goes over Sections 311 and 312 of EPCRA. Section 311 is a one-time reporting requirement to file the Safety Data Sheets (SDS) for a chemical, once it meets the EPCRA threshold for reporting. Alternately, a list can be provided that breaks the chemicals down into its hazard categories. The list must include the chemical or common name of each substance and must identify the applicable hazard categories. If you do choose to provide a list, please be sure that the hazard categories align with the Global Harmonization System. These categories are listed in the middle of page 6. ADEM created a form to make reporting these lists a little easier. [ADEM Form 407](#) is not required, but is an available option to use.

The AERC plans to meet twice in 2022. The next meeting is tentatively scheduled for Spring of 2022 in a virtual format. If you have any questions, concerns, or topics that need to be brought up at the next AERC meeting, please contact [Beth Woodfin](#).

This newsletter is distributed via e-mail for ease of distribution and to reduce paper waste. Any words in blue throughout this document are hyperlinks that can be clicked on for additional information. The link will open in a different window. Sometimes popup blockers will disable links from opening. If this occurs, hold down the “CTRL” button while clicking on the hyperlink to bypass this issue. If you need further assistance, contact [Beth Woodfin](#). Please feel free to forward this information to other stakeholders.

Regulatory Updates



- In November 2021, the Environmental Protection Agency (EPA) added natural gas processing facilities to the scope of industry sectors required to report to the Toxics Release Inventory (TRI) Program. Read more about these changes [here](#). Per the EPA, “This rule expands coverage to include all natural gas processing facilities that receive and refine natural gas. Natural gas processing facilities that primarily recover sulfur from natural gas were already covered by TRI. Facilities primarily engaged in natural gas extraction (e.g., exploration, fracking, etc.) are not included in this rule.”
- The EPA is proposing to add 12 chemicals to the list of chemicals subject to the TRI reporting requirements. Read more about these proposed changes [here](#).
- The EPA is considering using their discretionary authority to extend TRI Reporting Requirements to certain Ethylene Oxide facilities. Read more about the actions the EPA is taking [here](#).
- The EPA, the Occupational Safety and Health Administration (OSHA), the Department of Homeland Security (DHS), and the Chemical and Infrastructure Security Agency (CISA), issued a joint Safety Advisory due to some chemical warehouse and distribution facilities that may be failing to properly manage hazardous chemicals as required. [This advisory](#) informs the industry that companies must ensure that their chemicals are managed safely, securely, and in compliance with EPA, OSHA, CISA and United States Coast Guard (USCG) programs to help prevent chemical accidents and security incidents.
- The EPA issued an Enforcement Alert regarding the [“Risks of Improper Storage of Hazardous Chemicals at Chemical Warehouses and Distribution Facilities November 2021”](#). Please take note of the case studies throughout the document and the “Lessons Learned from Chemical Warehouse EPCRA and CAA 112(r) Cases”.

Reminders



- The ADEM [SARA Title III Webpage](#) is updated periodically throughout the year and contains FAQs and useful information on EPCRA reporting requirements.
- For all EPCRA reporting, you must check with your LEPC and Local Fire Department (if applicable) to see what format they require for compliance. Retain proof-of-receipt from all three entities.
- The AERC requires all EPCRA correspondence to be submitted electronically either through AL312@adem.alabama.gov or E-Plan.
 - **Please note: the old file extension @adem.state.al.us has been discontinued.** Be sure to update the e-mail address before filing season to avoid returned e-mails.
- The only two acceptable forms of submission for Tier II reporting to the AERC are [Tier2Submit](#) or [E-Plan](#).
- Tier II forms are due by March 1st. All forms received after March 1st are considered late.
- Verify all street addresses as well as latitude and longitude coordinates! If you do not have a street address, please register a 911 address so that First Responders can easily locate your facility.
- Please note: if you submit a Tier II form that is lacking any required categories/fields or contains inaccurate information, it can be considered invalid and rejected. If a document is rejected, please make accurate and timely corrections as soon as possible, and resubmit.
- TRI forms are due July 1st and must be filed through EPA's [TRI-MEweb](#) system.

Training Opportunities



- E-Plan offers free [webinars](#) in January and February.
- Tier2Submit 2021 tutorial is available [here](#).

Voices from Industry

Voices from Industry is a new segment that allows industry representatives to suggest a topic that might be valuable to others. Elizabeth Grinder with Alabama Power suggested this edition's topic, "EPA Proposal to add 12 new chemicals to Toxics Release Inventory (TRI) list". Even though this regulation is still in the proposal stage, many industries are already looking ahead to see how the proposed list might affect their business. Some of these chemicals are included in substances that you might not think of immediately. This change could affect many facilities due to the chemicals used in a wide range of products that are common to many industries. If these 12 chemicals are added to the TRI regulations, it will require someone at your facility to carefully go through all of the Safety Data Sheets (SDS) on-site and check to see if any of the 12 chemicals are in any substances. This can be a tedious and time-consuming process, especially if you do not store your SDSs digitally or have them linked in a database system. Please contact the chemical supplier if you run into issues trying to locate the information on the Safety Data Sheets. It might be beneficial to go ahead and begin analyzing the SDSs to see if you have these chemicals on-site in preparation for this proposal. Southern Company Services (SCS) created a list of common uses for each chemical proposed for addition to the TRI list during their research and it is shared below.

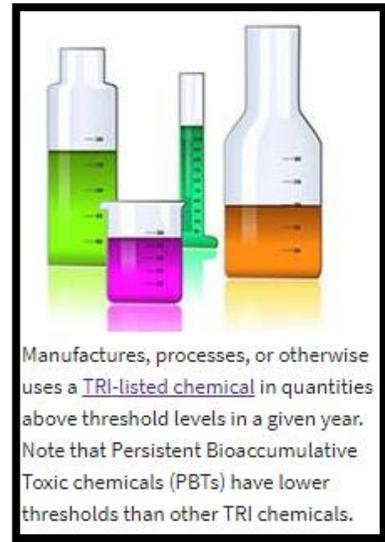
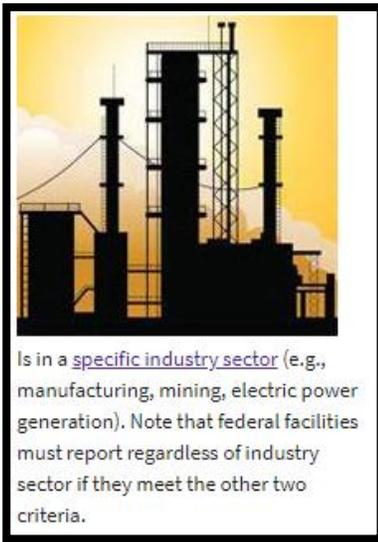
The chemicals proposed for addition to the TRI and their common uses are:

- **Dibutyltin dichloride; 683-18-1** Common applications/uses include: synthesis, catalyst, marine antifouling biological compound and powder fungicide.
- **1,3-Dichloro-2-propanol; 96-23-1** Common applications/uses include: production of synthetic glycerin, manufacture of lacquers, solvents for nitrocellulose and hard resins.
- **Formamide; 75-12-7** Common applications/uses include: analytical reagents, solvents, softening agents and organic synthesis.
- **1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[g]-2-benzopyran; 1222-05-5** Common applications/uses include: fragrance ingredient in perfumes, soaps, cosmetics and detergents.
- **N-Hydroxyethylethylenediamine; 111-41-1** Common applications/uses include: fabric softeners/surfactants, synthesis for chelating agents and latex paints.
- **Nitilotriacetic acid trisodium salt; 5064-31-3** Common applications/uses include: washing/cleaning products, adhesives, sealants, hair care products and biocides.

- p-(1,1,3,3-Tetramethylbutyl)phenol; 140-66-9 Common applications/uses include: aiding the generation of surfactants, resins or synthetic rubber additives, detergents, cleaning products and emulsifiers.
- 1,2,3-Trichlorobenzene; 87-61-6 Common applications/uses include: solvents, laboratory chemicals, synthesis of substances.
- Triglycidyl isocyanurate; 2451-62-9 Common applications/uses include: resin hardener (polyester powder paints), resin molding systems, inks and adhesives.
- Tris(2-chloroethyl) phosphate; 115-96-8 Common applications/uses include: flame retardant in plastics and rigid foams (like building insulation).
- Tris(1,3-dichloro-2-propyl) phosphate; 13674-87-8 Common applications/uses include: flame retardants, pesticides and plasticizers.
- Tris(dimethylphenol) phosphate; 25155-23-1 Common applications/uses include: plasticizers and flame retardant in hydraulic fluids.

If a facility meets the employee, industry sector, and chemical threshold criteria, it must report to the TRI Program.

Images below pulled from the EPA's TRI Webpage.



Additional Resources:

- [Community Right-to-Know Toxic Chemical Release Reporting: Addition of Certain Chemicals Proposed Rule](#)
- [The EPA's Rule Summary and Basic Information](#)
- Federal Register Citation: [86 FR 57614](#)
- More information about the [TRI](#)

If you have a topic that you think should be included in the next issue of the newsletter, please submit all suggestions to [Beth Woodfin](#). Topic suggestions can remain anonymous. All ideas are welcome for consideration.

This newsletter brought to you by the Alabama Emergency Response Commission/ADEM
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