

Comparison of Tier II, TRI, and 112(r) Requirements

For more information, contact the TCEQ's Small Business Assistance program at 1-800-447-2827.

Question	Tier II	Toxics Release Inventory (TRI)	Section 112(r)
Who administers this program?	<p>Texas Commission on Environmental Quality (TCEQ) 800/452-2791 or 512/239-5060</p> <p>Tier II Chemical Reporting Email: Tier2Help@tceq.texas.gov</p>	<p>Texas Commission on Environmental Quality (TCEQ) 512/239-4874 or toxic@tceq.texas.gov and U.S. Environmental Protection Agency (EPA) 800/424-9346 (option 3) or 800/553-7672 (TDD)</p> <p>Toxic Release Inventory Program Overview </p>	<p>U.S. Environmental Protection Agency (EPA) 800/424-9346 or 800/553-7672 (TDD)</p> <p>Risk Management Program Overview </p> <p>Risk Management Program Frequently Asked Questions </p>
What is a general description of the program?	Emergency Planning (the EP in EPCRA): reporting significant quantities of hazardous chemicals maintained at fixed facilities for emergency planning purposes.	Community Right-to-Know (the CRA in EPCRA): reporting on air emissions, waste disposal, and wastewater discharges.	Risk Management for Accident Prevention: responding to emergencies and planning to prevent accidents.
Which companies might need to submit reports (if the company exceeds the threshold limits)?	Any company using chemicals that could present a physical or health hazard.	<p>Companies with 10 employees or more, and hazardous waste treatment, chemical distributors, metal mining, coal mining, petroleum bulk stations (wholesale), and electric utilities.</p> <p>Industry sector must be covered by the NAICS code list found in Table 1 of the</p>	Businesses such as: farm cooperatives, chemical manufacturers, chemical distributors, metal product manufacturers, food processors, drinking water systems, and utilities.

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		December 2012 EPA publication 260-R-10-001, <i>Toxic Chemical Release Inventory Reporting Forms and Instruction</i> , and ; manufacture, process, or otherwise use more than the triggering amount for that classification of a TRI chemical.	
What reporting is required?	<ul style="list-style-type: none"> • One-time Emergency Planning Letters (EPLs) for facilities that have certain hazardous chemicals in specified amounts • Texas Tier II Chemical Inventory Reports • As of August 1, 2006, all EPLs and Tier II Chemical Inventory Reports are required to be submitted in electronic format. TCEQ provides software called Tier2Submit for reporting. 	<p>Form A: a shorter report for companies that meet the qualifications for reporting but have lower chemical on-site amounts and off-site transfers.</p> <p>Form R: an inventory of on-site releases and off-site waste transfers of substances (not products) listed under TRI.</p> <p>The EPA requires facilities to use TRI-MEweb to submit TRI reporting forms (except for trade secret information, which facilities will still complete on paper).</p>	<p>Risk Management Plan should include:</p> <ul style="list-style-type: none"> • hazard assessment • prevention program • emergency response program <p>Submit electronically through RMP*eSubmit</p>
When is the report or plan due?	March 1st of every year for the previous calendar year.	July 1st of every year for the previous calendar year.	June 20, 1999, initially; update every 5 years.
Is there a list of reportable chemicals with thresholds?	Yes; however, there are hazardous chemicals that are not on the threshold list , Exit... which the company may need to report.	Yes, on the EPA's TRI-Listed Chemicals Exit... site.	Yes, in 40 CFR §68.130 Exit...

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How many reportable chemicals are on this threshold list?	There are 356 chemicals on the Extremely Hazardous Substances list; however, 650,000 reportable hazardous substances are not on the list .	There are 650 toxic chemicals and chemical categories.	There are 77 acutely toxic substances and 63 flammable gases and volatile liquids.
What are the thresholds?	<p>Each limit represents the peak storage quantity of that chemical over a year.</p> <ul style="list-style-type: none"> • 10,000 lb for 650,000 hazardous substances • 500 lb or the Threshold Planning Quantity (TQP), whichever is less, for 356 chemicals listed on the Extremely Hazardous Substances list 	<p>The TRI program classifies chemicals as normal TRI chemicals or as persistent, bioaccumulative toxins (PBT) chemicals.</p> <p>If the company manufactures or processes more than 25,000 lb cumulative total in a year of any one normal TRI chemical, or otherwise uses (such as cleaning machine parts) more than 10,000 lb of any TRI chemical, then the company must report any on-site releases or off-site waste transfers of those chemicals (no minimum for releases or transfers).</p> <p>Lower manufacturing, processing, and otherwise use thresholds for triggering reporting of PBT chemicals are found in section B.4 of the December 2012 EPA publication 260-R-10-001, <i>Toxic Chemical Release Inventory Reporting Forms and Instruction</i>.</p>	Each chemical has a different threshold quantity. If the peak storage quantity of any chemical exceeds the limit on the 112(r) list at any point in the year, the company must report to EPA.