

Table of Contents

CHAPTER 1. EXPLANATION OF THE HAZARD COMMUNICATION STANDARD

- § 1:1 Introduction
- § 1:2 Safety Data Sheet
- § 1:3 Hazard determination
- § 1:4 Written hazard communication program
- § 1:5 Hazard communication labels and other warnings
- § 1:6 Employee information and training
- § 1:7 Trade secrets
- § 1:8 HCS noncompliance penalties
- § 1:9 Enforcement and sanctions
- § 1:10 HCS distinguished from SARA Title III
- § 1:11 Modifications to the HCS

CHAPTER 2. OVERVIEW OF TITLE III REPORTING REQUIREMENTS

- § 2:1 Summary of Title III reporting requirements
- § 2:2 Key historical dates under Title III
- § 2:3 Reporting checklist
- § 2:4 Notes to reporting checklist
- § 2:5 Amended reporting thresholds and streamlining requirements

CHAPTER 3. REPORTING FORMS

- § 3:1 Introduction
- § 3:2 SARA Title III emergency planning notification
- § 3:3 Section 304—Emergency follow-up letter
- § 3:4 Section 311—Chemical inventory reporting
- § 3:5 Section 312 Tier I emergency and hazardous chemical inventory: Aggregate information by hazard type
- § 3:6 Section 312 Tier II emergency and hazardous chemical inventory: Specific information by chemical type
- § 3:7 Recent changes to Tier I and Tier II reporting
- § 3:8 Section 313 Form R for toxic chemical release reporting
- § 3:9 Trade secrecy substantiation form

CHAPTER 4. EXPLANATION OF EMERGENCY PLANNING REQUIREMENTS

- § 4:1 Introduction
- § 4:2 Who must report
- § 4:3 Required notice under §§ 302 and 303
- § 4:4 Penalties for failure to report

CHAPTER 5. EXPLANATION OF EMERGENCY RELEASE REPORTING REQUIREMENTS

- § 5:1 Introduction
- § 5:2 Relationship of § 304 to CERCLA

- § 5:3 Who must report under § 304
- § 5:4 What must be reported
- § 5:5 Required notice
- § 5:6 Penalties for failure to comply
- § 5:7 Checklist for emergency release notification under § 304

CHAPTER 6. CHEMICAL INVENTORY REPORTING

- § 6:1 Introduction
- § 6:2 Who must report
- § 6:3 Definition of “hazardous chemical”
- § 6:4 Thresholds for reporting
- § 6:5 Determining threshold quantities
- § 6:6 What must be reported under § 311
- § 6:7 What must be reported under § 312
- § 6:8 When and where to report
- § 6:9 Public requests for information
- § 6:10 Supplemental reporting
- § 6:11 Aggregate reporting
- § 6:12 Penalties

CHAPTER 7. TOXIC CHEMICAL RELEASE REPORTING

- § 7:1 Introduction
- § 7:2 Who must report
- § 7:3 Determining threshold quantities
- § 7:4 When and where to report
- § 7:5 Reporting by multi-establishment facilities
- § 7:6 Supplier notification requirement
- § 7:7 Mixtures
- § 7:8 Reporting Form R
- § 7:9 Chemical identification
- § 7:10 Release information
- § 7:11 Waste treatment information
- § 7:12 Source reduction and recycling activities
- § 7:13 Form A certification statement
- § 7:14 Recordkeeping
- § 7:15 Penalties
- § 7:16 Toxic chemical release inventory data base
- § 7:17 EPA changes to improve the toxic release inventory
- § 7:18 EPA guide to toxics release inventory reporting

CHAPTER 8. TRADE SECRECY CLAIMS

- § 8:1 Scope and application
- § 8:2 How to file a trade secrecy claim
- § 8:3 Submissions to state and local authorities
- § 8:4 Trade secrecy substantiation form
- § 8:5 EPA review of trade secrecy claims
- § 8:6 Public access to trade secret information

CHAPTER 9. COMPLIANCE WITH TITLE III AND ITS ENFORCEMENT

- § 9:1 Introduction

TABLE OF CONTENTS

- § 9:2 Information collection
- § 9:3 Community relations
- § 9:4 Management's use of Title III reports
- § 9:5 Title III enforcement
- § 9:6 —Levels of action
- § 9:7 —Examples
- § 9:8 Self-auditing, disclosure and correction of reporting violations
- § 9:9 Citizen suits

CHAPTER 10. THE CLEAN AIR ACT AMENDMENTS OF 1990—HAZARDOUS AIR POLLUTANT PROVISIONS

- § 10:1 Introduction
- § 10:2 Prevention of accidental releases
- § 10:3 Listed substances
- § 10:4 Accident prevention
- § 10:5 Risk-management programs under § 112(r) of the Clean Air Act
- § 10:6 Chemical process safety management

CHAPTER 11. CALIFORNIA'S HAZARDOUS MATERIALS RELEASE RESPONSE PLANS AND INVENTORY

- § 11:1 Introduction
- § 11:2 Business and area plans
- § 11:3 Risk Management Prevention Program ("RMPP")
- § 11:4 California Toxic Release Inventory Program

CHAPTER 12. THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986—"PROPOSITION 65"

- § 12:1 Introduction
- § 12:2 Warning requirement
- § 12:3 Discharge prohibition
- § 12:4 Exemptions
- § 12:5 Elements of the law
- § 12:6 —Governor's list
- § 12:7 — —Exposure warning
- § 12:8 — —New exposure warnings, effective August 30, 2018
- § 12:9 — —Significant risk/NOEL exemptions
- § 12:10 — —Significant cancer risk determination
- § 12:11 — — —Quantitative risk assessment
- § 12:12 — — —Routes of exposure
- § 12:13 — — —Specific regulatory levels posing no risk
- § 12:14 — — —Exposure to trace elements
- § 12:15 — — —Levels based on state or federal standards
- § 12:16 — — —Exposure to foods, drugs, cosmetics, and medical devices
- § 12:17 — — —NOEL determination for reproductive toxicants
- § 12:18 — — —Level of exposure to reproductive toxicants
- § 12:19 —Discharge prohibition
- § 12:20 — —Significant cancer risk and NOEL determination
- § 12:21 Safe use determinations
- § 12:22 Safe harbor numbers
- § 12:23 Warnings website

- § 12:24 Enforcement and liability
- § 12:25 Notification requirements under the California Air Toxics “Hot Spots”
Information and Assessment Act and Proposition 65
- § 12:26 —The Hot Spots Act
- § 12:27 —Proposition 65
- § 12:28 Identifying your company’s duty to provide warnings to employees about
carcinogens in the workplace
- § 12:29 Proposition 65 warnings for occupational exposures
- § 12:30 Cal/OSHA Hazard Communication Standard
- § 12:31 —Hazard communication program
- § 12:32 —Labels and other forms of warning
- § 12:33 —Safety Data Sheets
- § 12:34 Determining whether Proposition 65 or the Hazard Communication
Standard applies

APPENDICES

- APPENDIX A. SARA Title III: Reporting Forms: Sample Letters
- APPENDIX B. SARA Title III: TRI Reporting Forms and Instructions
- APPENDIX C. SARA Title III: Consolidated List of Chemicals Subject to the
Emergency Planning and Community Right-To-Know Act and
the Clean Air Act
- APPENDIX D. Toxic Chemical Release Inventory Glossary of Synonyms
- APPENDIX E. OSHA Hazard Communication Standard
- APPENDIX F. SARA Title III: Emergency Planning and Community Right-to-
Know Act
- APPENDIX G. SARA Title III: Community Right-to-Know Reporting
Requirements
- APPENDIX H. Emergency Planning and Notification Regulations
- APPENDIX I. Chemical Inventory Regulations
- APPENDIX J. Toxic Chemical Release Regulations
- APPENDIX K. Trade Secret Regulations

Table of Contents

APPENDICES (CONTINUED)

APPENDIX L.	EPCRA Section 313 Questions and Answers—2024 Consolidation Document
APPENDIX M.	Pollution Prevention Act of 1990
APPENDIX N.	California’s Hazardous Materials Release Response Plans and Inventory
APPENDIX O.	California’s “Proposition 65,” Safe Drinking Water and Toxic Enforcement Act of 1986
APPENDIX P.	The California Hot Spots Act
APPENDIX Q.	California’s “Proposition 65,” Safe Drinking Water and Toxic Enforcement Act of 1986—List of Chemicals Known to the State to Cause Cancer or Reproductive Toxicity
APPENDIX R.	California’s “Proposition 65,” Safe Drinking Water and Toxic Enforcement Act of 1986—Current Regulations
APPENDIX S.	Environmental Protection Agency Directory
APPENDIX T.	State Emergency Response Commissions and State-Designated Agencies for the Emergency Planning and Community Right-to-Know Act
APPENDIX U.	Other Information Directories
APPENDIX V.	Glossary of Title III Terms
APPENDIX W.	Guidance Documents
APPENDIX X.	Enforcement Response Policy for Section 313 of the Emergency Planning Community Right-To-Know Act (1986) and Section 6607 of the Pollution Prevention Act (1990) [Amended]
APPENDIX Y.	Instructions for Reporting for the Partial Updating of the TSCA Chemical Inventory
APPENDIX Z.	Alternate Threshold for Facilities with Low Annual Reportable Amounts
APPENDIX AA.	TRI Form R Streamlining Rule
APPENDIX BB.	Newly Adjusted Reportable Quantities for Extremely Hazardous Substances
APPENDIX CC.	Risk Management Programs Under § 112(r) of the Clean Air Act
APPENDIX DD.	Small Business Compliance Policy
APPENDIX EE.	Amendments to Hazardous Chemical Reporting Thresholds and Streamlining Requirements for Retail Gas Stations
APPENDIX FF.	Lower Reporting Thresholds for Persistent Bioaccumulative Toxic (PBT) Chemicals
APPENDIX GG.	List of Toxic Chemicals within the Water Dissociable Nitrate Compounds Category and Guidance for Reporting
APPENDIX HH.	Lower Reporting Thresholds for Lead and Lead Compounds
APPENDIX II.	Enforcement Response Policy for §§ 304, 311, and 312 of EPCRA and § 103 of CERCLA

APPENDIX JJ.	EPA Audit Policy
APPENDIX KK.	NAICS Reporting System: Final Rule
APPENDIX LL.	Proposition 65: Safe Harbor Numbers
APPENDIX MM.	Corrections and Updates to NAICS Code System
APPENDIX NN.	OSHA Brief: Hazard Communication Standard Safety Data Sheets
APPENDIX OO.	Revisions to Hazard Categories
APPENDIX PP.	Further Corrections and Updates to NAICS Code System
APPENDIX QQ.	Oil and Gas Production Facilities New Owner Audit Program
APPENDIX RR.	EPA's Audit Policy Program: Frequently Asked Questions

Table of Laws and Rules

Table of Cases

Index