

CHEMICAL INVENTORY REPORTING REQUIREMENTS

1. LAW

Illinois Emergency Planning and Community Right to Know Act (IEPCRA)
430 ILCS 100; 29 Ill. Adm. Code 620

2. WHO MUST REPORT?

Any facility that has present onsite

(a) a **hazardous chemical** for which OSHA requires a material safety data sheet (MSDS); *and*

(b) the chemical is **present in certain threshold quantities**

3. WHAT IS A “HAZARDOUS CHEMICAL?”

For purposes of IEPCRA, a “hazardous chemical” is defined as any chemical that causes a physical or health hazard (Occupational Safety and Health Act of 1970). The number of such chemicals has been estimated at 500,000 and there is no list available. It is acceptable to assume that any chemical for which an MSDS lists *any* type of hazard is covered by IEPCRA.

4. WHAT QUANTITIES TRIGGER REPORTING REQUIREMENTS?

If the chemical is **hazardous**, the threshold quantity is 10,000 pounds or more.

If the chemical is an **extremely hazardous substance (EHS)**, the threshold is 500 pounds or the threshold planning quantity (TPQ), whichever is less. For instance, chlorine is an EHS and its TPQ is 100 pounds; therefore, if a facility has present onsite at least 100 pounds of chlorine, that facility is required to file an emergency and hazardous chemical inventory form (commonly referred to as a “Tier Form”) for chlorine.

5. WHAT ARE THE REPORTING REQUIREMENTS?

(a) **An emergency and hazardous chemical inventory form, commonly referred to as a “Tier Form,” which reports the following information:**

facility identification

name, mailing address, and telephone number of owner/operator

name and telephone number of emergency contact(s)

chemical name, description, hazards, amounts, and locations

whether chemical is an extremely hazardous substance

physical and health hazards

estimate of the maximum amount of chemical at facility on any single day

average daily amount

number of days chemical was onsite for that reporting period

(b) A Material Safety Data Sheet (MSDS) for each such chemical. An MSDS is a document that is developed by the product manufacturer and provides information on ingredients, hazards, and practices needed to work safely with the product.

Instead of submitting an MSDS, a facility may choose to submit a list of such chemicals provided the following information is also included:

- (i) a list of the chemicals grouped in categories of health and physical hazards as set forth under OSHA;
- (ii) the chemical name or common name of each such chemical as provided on the MSDS; and
- (iii) any hazardous component of each such chemical as provided on the MSDS.

(c) If the chemical is an **extremely hazardous substance (EHS)**, the facility is also required to file a **Section 302 Notice**. This notice is a letter from the facility that alerts emergency planners that an extremely hazardous substance is present at the facility in quantities in excess of the TPQ.

REPORTING DUE DATES

6. WHEN IS THE TIER FORM DUE?

The emergency and hazardous chemical inventory form ("Tier Form") is due annually on or before March 1 of the year following the reporting calendar year period. For instance, if your facility had onsite more than 10,000 pounds of a hazardous chemical (non-EHS) at any one time during calendar year 2002, then you are required to file a chemical inventory form on or before March 1, 2003.

7. WHEN IS THE MSDS (OR CHEMICAL LIST) DUE?

The Material Safety Data Sheet (MSDS) or the chemical list is a one-time filing requirement that must be filed within ninety (90) days of the date that the material is brought onsite.

8. WHEN IS THE SECTION 302 NOTICE DUE?

The Section 302 Notice is due within sixty (60) days of the date that the extremely hazardous substance (EHS) is brought onsite.

9. WHERE SHOULD THESE REPORTS BE SENT?

(a) The Tier Form and the MSDS (or chemical list) must be submitted to each of the following:

- (i) the appropriate local emergency planning committee (LEPC);

- (ii) the fire department with jurisdiction over the facility; and
- (iii) IEMA as the State Emergency Response Commission
Division of Chemical Emergency Preparedness and Prevention
(DCEPP), 110 E. Adams Street, Springfield, IL 62701-1109

(b) The Section 302 Notice must be submitted to the following:

- (i) the appropriate local emergency planning committee (LEPC); and
- (ii) IEMA as the State Emergency Response Commission (see address above).

**FOR FURTHER INFORMATION OR ASSISTANCE, PLEASE CALL IEMA'S
DIVISION OF CHEMICAL EMERGENCY PREPAREDNESS & PREVENTION
AT 217/782-8712.**