3750-30-20 **Facility emergency and hazardous chemical inventory form.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (YY) of rule 3750-1-01 of the Administrative Code titled "Referenced materials."]

(A) Each owner or operator of a facility that is subject to rule 3750-30-01 of the Administrative Code shall annually prepare a facility emergency and hazardous chemical inventory report containing the information as defined in paragraphs (B) to (D) of this rule using either forms prescribed by the commission or via electronic submission as prescribed by the commission. The owner or operator of a facility subject to this rule shall annually submit this report on or before of March first of each year to each of the following:

(1) The local emergency planning committee of the emergency planning district in which the facility is located~~;~~.

(2) The commission~~;~~.

(3) The fire department having jurisdiction over the facility.

[Comment: Ohio's commission has adopted a resolution requesting the submission of Tier II information on Ohio's approved forms. In addition to the requirements in paragraph (A) of this rule, each owner or operator must submit an annual inventory filing fee and facility annual chemical inventory fee worksheet (EPA 0320) as prescribed in rule 3750-50-01 of the Administrative Code to the commission.]

(B) An owner or operator of a facility that is subject to rule 3750-30-01 of the Administrative Code shall submit facility identification information that includes, but is not limited to, the following:

~~(1) The inventory calendar date and year for which the forms are being prepared;~~

~~(2) Parent company information that includes: corporate name of the owner or operator preparing the form, address, "Dunn & Bradstreet" number, and the division or subsidiary name of the facility for which the forms are being prepared;~~

~~(3) Facility name, address, and "Dunn & Bradstreet" number. If street address is not available, enter other appropriate identification that describes the physical location of the facility, such as the longitude and latitude coordinates or the (x,y) coordinates;~~

~~(4) Emergency contact's name, title, work telephone number, and emergency telephone number at which the emergency contact may be reached twenty-four hours per day;~~

~~(5) Alternate emergency contact's name, title, work telephone number and emergency telephone number at which the alternate emergency contact may be reached;~~

~~(6) An emergency telephone number for the facility where emergency information will be available twenty-four hours a day;~~

~~(7) The "Standard Industrial Classification" (SIC) or the "North American Industrial Classification System" (NAICS) code of the facility;~~

~~(8) The approximate maximum number of people present at the facility during a regular working period;~~

~~(9) The name and emergency telephone number of the fire department having jurisdiction over the facility (a non-9-1-1 number);~~

(1) The calendar year of the reporting period.

(2) An indication whether the information being reported on page one of the form is identical to that submitted last year.

(3) The complete name and address of the location of the facility (include the full street address or state road, city, county, state and zip code), latitude and longitude.

(4) An indication if the location of the facility is manned or unmanned.

(5) An estimate of the maximum number of occupants present at any one time. If the location of the facility is unmanned, check the box marked N/A, not applicable.

(6) The phone number of your facility (optional).

(7) The "North American Industry Classification System (NAICS)" code for your facility.

(8) The Dun & Bradstreet number of your facility.

(9) Facility identification numbers assigned under the "Toxic Release Inventory (TRI)" and risk management program. If the facility has not been assigned an identification number under these programs or if the facility is not subject to reporting under these programs, check the box marked N/A, not applicable.

(10) An indication if the facility is subject to the emergency planning notification requirement under section 3750.05 of the Revised Code.

(11) An indication whether the facility is subject to the chemical accident prevention requirements under section 112(r) of the Clean Air Act (CAA), codified in 40 CFR part 68, chemical accident prevention provisions, also known as the risk management program.

(12) The name, mailing address, phone number and email address of the owner or operator of the facility.

(13) The name, title, phone number, twenty four-hour phone number and email address of the facility emergency coordinator, if applicable.

(14) The name, title, phone number and email address of the person to contact regarding information contained in the tier II form.

(15) The name, title, phone number and email address of at least one local individual that can act as a referral if emergency responders need assistance in responding to a chemical accident at the facility. An emergency phone number which will be available twenty four hours a day, every day shall also be provided.

~~(10)~~(16) A certification signed by owner or operator or an officially designated representative who certifies that the information submitted on this document has been personally examined and that the representative is familiar with the information submitted on this document and based upon inquiry of those individuals responsible for obtaining the information, it is believed that the submitted information is true, accurate and complete~~.~~ as follows: "I certify under penalty of law that I have personally examined and am familiar with the information and based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete." This certification shall be accompanied by the full name, official title, signature, date signed, and total number of pages in the submission. All other pages shall also contain the signature or signature stamp, the date the certification was signed, and the total number of pages in the submission.

(C) In addition to the above listed information in paragraph (B) of this rule, an owner or operator is requested to submit the following additional information ~~as it may apply~~applicable to the facility~~;~~:

(1) ~~A designated emergency fax number and e-mail address for the facility where emergency information will be received;~~The name, mailing address, phone

number, Dun & Bradstreet number and e-mail of the facility's parent company.

(2) Any Ohio EPA identification number assigned to a facility, as may be required pursuant to the "Resource Conservation and Recovery Act" (RCRA), contained in 42 USC Section 6901 to 6992K~~;~~.

(3) Any permit held by a facility under the "National Pollution Discharge Elimination System" (NPDES) issued pursuant to state or federal authority under the "Clean Water Act" contained in 33 USC Section 1251 to 1387 and Chapter 6111. of the Revised Code~~;~~.

(4) Any state wastewater facility permit number designated to the facility pursuant to Chapter 6111. of the Revised Code~~;~~.

(5) Any pretreatment identification number designated to the facility pursuant to Chapter 6111. of the Revised Code~~;~~.

(6) Any air permit facility number designated to the facility pursuant to Chapter 3704. of the Revised Code~~;~~.

~~(7) Longitude and latitude coordinates or (X)(Y) coordinates;~~

~~(8) The division of oil and gas permit number for the tank battery pursuant to Chapter 1509. of the Revised Code;~~

~~(9) The Bureau of underground storage tank regulation and petroleum underground storage tank and release compensation board registration number pursuant to Chapter 3737. of the Revised Code.~~

(D) In addition to the above information in paragraphs (B) and (C) of this rule, an owner or operator shall submit the following information as ~~it applies~~applicable to the facility:

~~(1) The chemical name, or common name of the hazardous chemical(s) as provided on the MSDS and the chemical abstract service number.~~

~~(a) For mixtures containing extremely hazardous substance(s), the name of the extremely hazardous substances and the chemical abstract service number is to be reported on the line below the mixture name reported on the emergency and hazardous chemical inventory form; and~~

~~(b) Inventory reports listing extremely hazardous substances shall list extremely hazardous substances before other hazardous chemicals;~~

(1) An indication whether the information being reported is identical to that submitted last year.

(2) For each hazardous chemical required to be reported, the following:

(a) Pure chemical: Provide the chemical name (or the common name of the chemical) as provided on the "Material Safety Data Sheet (MSDS)" and provide the "Chemical Abstract Service (CAS)" registry number of the chemical provided on the MSDS.

(b) Indicate whether the chemical is a solid, liquid, or gas; and whether the chemical is an "Extremely Hazardous Substance (EHS)".

(c) Mixture: If reporting a mixture, enter the mixture name, product name or trade name as provided on the MSDS and provide the CAS registry number of the mixture provided on the MSDS. If there is no CAS number provided or it is not known, check the box "Not Available".

(d) If the mixture being reported contains EHS; provide the name of each EHS in the mixture. The owner or operator also has an option to report the non-EHS hazardous components in the mixture.

(e) Pure chemical or mixture: Indicate which hazard categories apply to the chemical or the mixture. The five hazard categories are established in rule 3750-30-25 of the Administrative Code.

(f) Provide an estimate (in ranges) of the maximum amount of the hazardous chemical present at the facility on any single day during the preceding calendar year. If you are reporting a mixture, provide an estimate of the total amount of the mixture present at the facility on any single day during the preceding calendar year. If the mixture contains any EHS, provide the total amount of each EHS in that mixture. The range value codes as listed in the rule or in actual pounds rounded up to two significant figures shall be used.

(g) Provide an estimate (in ranges) of the average daily amount of the hazardous chemical present at the facility during the preceding calendar year. If reporting a mixture, provide an estimate of the average daily amount of the mixture. The range value codes as listed in this rule or in actual pounds rounded up to two significant figures shall be used.

(h) Provide the maximum number of days that the hazardous chemical or mixture was present at the facility during the preceding calendar year.

(i) Provide the type of storage for the hazardous chemical or the mixture containing the hazardous chemical at the facility. Examples for types of

storage: above-ground tank, plastic or non-metallic drum, steel drum, cylinder, or rail car.

(j) Provide the storage conditions for the hazardous chemical or the mixture containing the hazardous chemical at the facility. Examples for types of storage conditions: ambient pressure, ambient temperature, less than ambient temperature/pressure, or cryogenic conditions.

(k) Provide a brief description of the precise location of the hazardous chemical or the mixture at your facility.

~~(2) The physical description of the chemical including categories of pure, mixture, components, extremely hazardous substances, solid, liquid, or gas;~~

~~(3) The hazard and physical category as established in rule 3750-30-25 of the Administrative Code that applies to each hazardous chemical reported;~~

~~(4) A brief description of the manner and method of storage of fixed storage for hazardous chemical as set forth below to include, but not limited to, each of the following type:~~

~~(a) Type of storage used for each reported chemical (storage does not include flow through process);~~

~~(b) Pressure and temperature conditions under which each reported chemical is subject to during storage;~~

~~(c) The number of day(s) for which the reported chemical(s) was located on-site;~~

~~(5) An estimate of the maximum amount of each hazardous chemical(s) that was present at the facility at any time during the preceding calendar year;~~

~~(6) An estimate of the average daily amount of each hazardous chemical(s) that was present at the facility during the preceding calendar year;~~

~~(a) For the purpose of this rule, the average daily amount shall be determined by totaling all the daily weights of each hazardous chemical and dividing that total by the number of days the chemical was present at the facility. An owner or operator of a facility shall report the number of days used in the calculation;~~

~~(7)~~(3) The estimated amount shall be reported either in actual pounds rounded up to two significant figures or in appropriate reporting ranges as follows~~as listed in this paragraph or in actual pounds rounded up to two significant figures;~~:

Reporting ranges:

Range Value	Weight Range in Pounds From	Weight Range in Pounds To .....
01	0	99
02	100	~~999~~499
03	~~1,000~~500	~~9,999~~999
04	~~10,000~~1,000	~~99,999~~4,999
05	~~100,000~~5,000	~~999,999~~9,999
06	~~1,000,000~~10,000	~~9,999,999~~24,999
07	~~10,000,000~~25,000	~~49,999,999~~49,999
08	~~50,000,000~~50,000	~~99,999,999~~74,999
09	~~100,000,000~~75,000	~~499,999,999~~99,999
10	~~500,000,000~~100,000	~~999,999,999~~499,999
11	~~1 billion~~500,000	~~higher than 1 billion~~999,999
12	1,000,000	9,999,999
13	10,000,000	Greater than 10 million

~~(8)~~(4) The general location of each hazardous chemical present at the facility.

(a) An owner or operator shall submit a map indicating the following:

(i) Fixed and stationary items.

(ii) The storage locations of those hazardous chemicals present at the facility in quantities equal to or greater than the threshold quantity established under rule 3750-30-27 of the Administrative Code or those extremely hazardous substances present at the facility equal to or exceeding the threshold planning quantities established under rules 3750-30-27 and 3750-20-30 of the Administrative Code or five hundred pounds as reported on the annual inventory form.

(b) A map shall identify the facility buildings located at the site or on contiguous property including the following:

(i) Buildings~~;~~.

(ii) Building openings~~;~~.

(iii) Building or rooms including location~~;~~.

(iv) Building floors.

Only those buildings or rooms used for chemical storage shall be identified.

If a room or building is used as a warehouse. the map shall identify such area by labeling the room as a "warehouse."

For purposes of this rule "warehouse" means any area where chemicals are moved frequently to accommodate storage incidental to shipping.

(c) A map shall identify the facility's surrounding ~~are~~ areas including the following:

(i) Drive though gates~~;~~.

(ii) Bordering streets~~;~~.

(iii) Access roads~~;~~.

(iv) Surrounding land uses~~;~~.

(v) Waterways.

(d) A map shall identify any storage structures or areas including the following:

(i) Inside storage tanks~~;~~.

(ii) Outside storage tanks~~;~~.

(iii) Inside storage areas~~;~~.

(iv) Outside storage areas.

For purposes of this rule, "tank" means a totally enclosed container.

(e) A map shall identify portable containers stored in a single large areas as other storage.

For purposes of this rule, "portable containers" means any container which is not stored in a permanent place.

(f) A map shall indicate compass direction and scale representations.

(g) A map shall include the facility's name and address.

(h) The information required in paragraphs (B) to (D) of this rule shall be submitted to the commission, committee and fire department having jurisdiction over the facility unless otherwise negotiated and agreed to by the committee or the fire department. The negotiated information shall be approved by the committee or fire department and provided in a letter indicating approval to the commission, attached to the map.

~~(9)~~(5) An owner or operator of a facility may indicate that the storage location of ~~a~~any hazardous ~~chemical(s)~~chemical present at a facility as reported on a Tier II inventory form or electronic submission and a map shall not be disclosed to any person who is not an officer or employee of the state or political subdivision acting in an official capacity.

~~(10)~~(6) An owner or operator may choose to withhold information about ~~the~~any hazardous ~~chemical(s)~~chemical present at the facility from disclosure as a trade secret, if so, the owner or operator shall indicate whether a claim has been filed with the administrator of the United States environmental protection agency for protection of that information as a trade secret pursuant to the rules adopted under division (B)(2)(d) of section 3750.02 of the Revised Code or has filed a claim with the commission pursuant to rules adopted under section 3750.09 of the Revised Code.

~~(11)~~(7) A certification signed by the owner or operator or an officially designated representative which certifies that the information has been personally examined and that such owner, operator, or representative is familiar with this document and attached map, and that based on an inquiry of those individuals

responsible for obtaining the information, it is believed that the submitted information is true, accurate, and complete.

(E) The committee and fire department having jurisdiction over a facility may, after assessing the information obtained from an owner or operator's previous Tier II inventory form or on a state Tier II inventory form or electronic submission as adopted by the commission, may request any other information otherwise agreeable to the committee and fire department and the owner or operator of the facility. The confidential business information and trade secret provisions under Chapter 3750~~.~~ of the Revised Code are applicable to the information submitted pursuant to this paragraph.

(1) The committee and fire department having jurisdiction over a facility shall determine the scope of information to be submitted pursuant to this paragraph by evaluating the information on the basis of the following factors:

(a) The information reported shall aid to reduce the extraordinary risk injury to public health and safety or to the environment~~;~~.

(b) The information reported shall aid to reduce the extraordinary risk to injury to responding emergency management personnel in the event of a release of hazardous substances from the facility considering the following:

(i) The specific characteristics and degree and nature of the hazards posed by the release of the hazardous substances~~;~~.

(ii) The proximity of the facility to a residential area, or area with significantly large numbers of people are employed or otherwise congregate; and to environmental resources that are subject to injury~~;~~.

(iii) The quantities of extremely hazardous substances and hazardous chemicals that are routinely present at the facility~~;~~.

(iv) The frequency in which the extremely hazardous substances and hazardous chemicals are present at the facility~~;~~.

(2) An owner or operator subject to this rule shall continue to annually prepare and submit an inventory form or electronic submission as required under ~~paragraph~~paragraphs (B) to (D) of this rule in addition to the information as agreed upon under paragraph (E) of this rule.

(3) A committee and fire department acquiring additional information pursuant to paragraph (E) of this rule shall notify the commission of such an agreement.

(F) An owner or operator of a facility subject to rule 3750-30-01 of the Administrative Code may submit chemical inventory information on forms prescribed by the administrator of the USEPA under section 312 of the Emergency Planning and Community Right-To-Know Act of 1986 (federal form) or on a state form adopted by the commission or on commission approved software to collect information required by paragraphs (B) to (D) of this rule.

(G) No owners or operators of a facility where any hazardous ~~chemical(s) are~~chemical is stored in an amount that exceeds the threshold quantity established in rule 3750-30-27 of the Administrative Code shall fail to submit one of the following:

(1) A state inventory form containing Tier II information as prescribed in paragraphs (B) to (D) of this rule~~; or~~.

(2) A federal inventory form containing Tier II information~~; or~~.

(3) Commission approved electronic software.

(H) An owner or operator of a facility who has previously submitted an inventory form pursuant to this rule, in the event there are no changes to the reported information including any facility map submitted, may send, in lieu of the reports otherwise required under this rule only the facility information prescribed in paragraphs (B) and (C) of this rule with a marked "no change (from last year's)" to the commission, committee and fire department having jurisdiction over the facility. An owner or operator shall submit a new inventory form and facility map every three years even if no changes have occurred at the facility.

(I) The owner or operator of the facility under paragraph (H) of this rule shall submit an annual inventory filing fee and worksheet form prescribed in rule 3750-50-01 of the Administrative Code to the commission.

Effective:

R.C. 119.032 review dates: 10/29/2016

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Certification

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Date

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