



SERC-TERC Flash Update (June 17, 2016)

Hazardous Chemical Reporting: Community Right-to-Know; Revisions to Hazard Categories and Minor Corrections Final Rule: Technical Amendment

- The Environmental Protection Agency (EPA) is amending its hazard categories in the regulations (40 CFR part 370) for reporting under [Sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) due to the changes in the Occupational Safety and Health Administration (OSHA) [Hazard Communication Standard \(HCS\)](#).
- OSHA's HCS was revised in 2012 to conform to the [United Nations Globally Harmonized System of Classification and Labeling of Chemicals \(GHS\)](#).
 - Under the revised HCS, chemical manufacturers and importers are required to evaluate their chemicals according to the new criteria adopted from GHS to ensure that they are classified and labeled appropriately.
 - Manufacturers and importers are also required to develop standardized Safety Data Sheets (formerly known as "Material Safety Data Sheets/MSDS") and distribute them to downstream users of their chemicals.
- These changes to OSHA's HCS affect the reporting requirements under sections 311 and 312 of EPCRA.
 - Based on the new classification criteria adopted by OSHA, EPA is revising the existing hazard categories for hazardous chemical inventory form reporting under EPCRA Section 312 and for list reporting under section 311.
- Many states have developed their own software for hazardous chemical inventory reporting. Other states use [Tier2 Submit](#), electronic software developed by EPA. To provide enough time for states (as well as EPA) to modify the software to incorporate the new hazard classes, this final rule will be effective on January 1st, 2018.
 - This means that by March 1st, 2018, facilities are required to provide information on their hazardous chemicals during 2017 calendar year.
- In this action, EPA is also making a few minor corrections in the hazardous chemical reporting regulations.

For more information: <https://www.epa.gov/epcra/epcra-non-section-313-amendments-and-guidance>