

update

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www.vpcga.com

Annual EPCRA Tier II Reports Due by March 1, 2016

From PMAA

EPA EPCRA Tier II reports must be filed for bulk plants, marinas and fleet fueling facilities that stored more than **10,000 pounds (approximately 1,626 gallons)** of hazardous chemicals (petroleum fuels) at any single time during the 2015 calendar year. EPCRA reports must be filed with local or state emergency response authorities no later than **March 1, 2016**. In addition, retail facilities with a storage capacity greater than 75,000 gallons of gasoline and/or 100,000 gallons or more of diesel fuel must also file EPCRA reports. Federal regulations exempt retail fueling facilities at or below these capacity thresholds from the annual Tier II inventory reporting. Some states have set lower reporting thresholds, use unique Tier II reporting forms or require electronic reporting. Petroleum marketers should contact their state EPCRA office to verify any local variances in Tier II reporting requirements.

EPCRA PAPER FORMS AND ELECTRONIC SUBMISSION SOFTWARE:

- EPCRA Tier II forms may be downloaded here: <http://www.epa.gov/emergencies/content/epcra/tier2.htm>. **Important!** Many states now require electronic filing of Tier II reports.
- **IMPORTANT!** Many states have adopted the EPA Tier2 Submit portal for electronic filing. Tier2 Submit electronic filing may be downloaded at: <http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting>.
- A complete list of state EPCRA Tier II requirements and procedures can be downloaded here: <http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting/state-tier-ii-reporting-requirements-and-procedures>

EPCRA CAS NUMBERS:

- The following CAS designations (from material safety data sheets) must also be included on EPCRA Tier II reports;
 - **Gasoline** (CAS 8006-61-9);

- **Diesel Fuel** (CAS 68476-34-6);
- **Kerosene** (CAS 8008-20-6);
- **Fuel Oil**(CAS 68476-30-2);
- **Aviation Gasoline** (CAS Mixture);
- **Jet A** (CAS Mixture);
- **JP 8** (CAS Mixture).

EPCRA NAICS CODE:

- Standard Industrial Classification (SIC) codes can no longer be used to describe facilities on EPCRA Tier II reports. Instead, North American Industrial Classification System (NAICS) codes must be used. Applicable NAICS codes for the petroleum marketing industry include:
 - **Petroleum Bulk plants** - NAICS 424710;
 - **Heating Oil Dealers** - NAICS 454311;
 - **Retail Gasoline Stations with Convenience Stores** - NAICS 447110;
 - **Retail Gasoline Stations without Convenience Stores** - NAICS 447190;
 - **Cardlock Sites** - NAICS 447190

PENALTY FOR FAILURE TO FILE EPCRA TIER II:

- The EPA fine for violating EPCRA Tier II reporting is \$37,500 per day, per violation. EPA checks for filing of EPCA Tier II reports during routine compliance audits or after a release has occurred.

RECENT ADDITIONS TO TIER II FORM:

- EPCRA Tier II forms now ask whether the facility is subject to emergency planning under Section 302 of EPCRA (Toxic Release Inventory or TRI) or the chemical accident prevention requirements under 112r of the Clean Air Act (Risk Management Program or RMP). For small bulk plant operators, the answer to these questions is almost always "NO". Typically, small petroleum bulk plants operated by petroleum marketers located downstream of the terminal rack are NOT subject to TRI or RMP. While these small bulk plants must comply with Spill prevention Control and Countermeasure (SPCC), this is not the same as TRI or RMP.

Southeast Petro-Food Expo March 2-3

If you have not made your plans or registered to attend the upcoming Southeast Petro-Food Marketing Expo, March 2-3, 2016, at The Myrtle Beach Convention Center, please take a

minute and do it this week! Just go to the expo web - www.sepetro.org and click on Hotels at the top of the page for links to and info on hotels available. Please note that the Sheraton hotel is sold out. You can go to Attendee Info to register for a badge to attend.

Eligibility to Attend: Attendees must own, operate or be employed by a convenience store, truck stop, petroleum marketing/distributing company or carwash. In fairness to exhibitors that financially support the expo, suppliers/vendors that are not exhibiting will not be allowed on the exhibition floor. Employment verification may be required and a photo ID - NO EXCEPTIONS. Attendees must be age 18 or older - children are not permitted)

Please plan on staying for the full 2-day show as there are over 400 firms represented. You can set up an itinerary by clicking on the Exhibitor Floorplan/Directory link on the web and use "My Show Planner". We also have some great seminars scheduled prior to show start on March 2th (see Seminars page on the Expo web).

VPCGA will again be hosting our hospitality suite reception on Wednesday, March 2 after the show! All members and Virginia attendees will be invited to attend! We look forward to seeing you next month at Myrtle Beach!

Strauss Scholarship Applications Now Accepted

Applications are being accepted for the 2016 S. Frank Strauss Scholarship Program. This program was established in the 1970's in recognition of Mr. Frank Strauss, who was the long time executive director of the Virginia Food Dealers Association. This program is open to VPCGA members, their employees and the children of VPCGA employees. Awards are made after review by the Association's scholarship committee, which considers need as well as academic achievement in their evaluation. Recipients must be high school graduates by June of this year and attend a post secondary institution of higher education in the fall of 2016. You can view the [application here](#). Complete applications must be received by April 15. You may also post [this flyer](#) for your employees.

Welcome New Member

Honeywell International, Inc.

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Oliver Knott - oliver.knott@honeywell.com

-Provides rebate programs for Dominion's commercial customers to reduce energy consumption

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