



FLORIDA EPCRA How to Comply Manual

REVISED 2025

CONTENTS

ACRONYMS	3
INTRODUCTION	4
EPCRA SECTION 302 - CHEMICAL NOTIFICATION	6
SECTION 304 – EMERGENCY RELEASE NOTIFICATION	10
EPCRA SECTION 311/312 - SDS/CHEMICAL LIST SUBMITTAL/TIER II REPORTING	12
SECTION 313 - TOXIC CHEMICAL RELEASE INVENTORY (TRI).....	16
CAA 112r – RISK MANAGEMENT PLANNING.....	19
GENERAL PROVISIONS.....	22
APPENDIX A AGENCIES & ORGANIZATIONS.....	24
APPENDIX B LOCAL EMERGENCY PLANNING COMMITTEES.....	25
APPENDIX C RELEASE REPORTING REQUIREMENTS	26
APPENDIX D SUMMARY OF FLORIDA FEES & FILING REQUIREMENTS	27
APPENDIX E STATEMENT OF DETERMINATION FORM	28
APPENDIX F SAMPLE SDS REQUEST LETTER.....	30
APPENDIX G FREQUENTLY ASKED QUESTIONS.....	31
ATTACHMENT 1 MAJOR CHEMICALS IN FLORIDA	33
ATTACHMENT 2 PESTICIDE REPORTING GUIDELINES	34

ACRONYMS

Below is a list of common acronyms related to hazardous substance regulation and reporting. Familiarizing yourself with these acronyms will assist you while navigating this manual and fulfilling your facility's regulatory obligations.

CAS Number - Chemical Abstract Service Number

CERCLA - Comprehensive Environmental Response, Compensation and Liability Act

CFR - Code of Federal Regulations

EHS - Extremely Hazardous Substance

EPA - Environmental Protection Agency

EPCRA - Emergency Planning and Community Right-To-Know Act

HS – Hazardous Substance

LEPC - Local Emergency Planning Committee

NFPA - National Fire Protection Association

NAICS – North American Industry Classification System

NRC - National Response Center

OSHA - Occupational Safety and Health Administration

PBT - Persistent Bioaccumulative Toxic Chemicals

RCRA - Resource Conservation and Recovery Act

RMP - Risk Management Planning

RQ - Reportable Quantity

SARA - Superfund Amendments and Reauthorization Act of 1986

SDS - Safety Data Sheet

SERC - State Emergency Response Commission

SWO - State Watch Office

TPQ - Threshold Planning Quantity

TQ - Threshold Quantity

TRI - Toxics Release Inventory

INTRODUCTION

This guide is designed to help facility owners and operators comply with the reporting requirements of the Emergency Planning and Community Right-To-Know Act (EPCRA)—also known as SARA Title III—and the Florida Hazardous Materials Emergency Response and Community Right-to-Know Act of 1988 (Chapter 252, Part II, Florida Statutes).

Any public or private facility that has hazardous materials at or above established Threshold Planning Quantities (TPQs) may be subject to these laws.

Because EPCRA involves multiple and sometimes complex reporting requirements, the State Emergency Response Commission (SERC)—Florida’s policy board appointed by the Governor—created this manual to help facilities understand and meet both state and federal obligations.

What is EPCRA?

EPCRA is a federal law administered by the U.S. Environmental Protection Agency (EPA) and implemented in Florida by the Florida Division of Emergency Management (FDEM). Its goals are to:

- Promote emergency planning at the state and local levels
- Improve public access to information about chemical hazards in their communities

How the Data is Used

Reporting data is collected annually and shared with Florida’s 10 Local Emergency Planning Committees (LEPCs). LEPCs use this information to:

- Develop and update regional hazardous materials emergency response plans
- Better prepare for and respond to chemical releases involving extremely hazardous substances

All emergency plans and chemical data are available to the public upon request. Records requests may be submitted via email to Records@em.myflorida.com.

EPCRA Structure

EPCRA is divided into three main parts:

- Subchapter I: Emergency Planning and Release Notification (Sections 301–304)
- Subchapter II: Hazardous Chemical Reporting (Sections 311–313)
- Subchapter III: General Provisions, including Administration, Enforcement, and Trade Secret Protections (Sections 321–330)

NOTE: Each section of EPCRA should be reviewed separately to determine whether your facility is subject to its requirements.

EPA CONSOLIDATED “LIST OF LISTS”

The EPA’s Consolidated “List of Lists” compiles chemicals regulated under five key federal laws to help facilities determine their reporting responsibilities. It includes chemicals referenced in:

- 1) EPCRA Section 302 Extremely Hazardous Substances (EHSs)
- 1) CERCLA Hazardous Substances (HSs)
- 2) CAA Section 112(r) List of Substances for Accidental Release Prevention

- 3) EPCRA Section 313 Toxic Chemicals (a.k.a. Toxics Release Inventory (TRI) Chemicals)
- 4) CERCLA Hazardous Substance (HS) - Chemical Categories

This chemical list, referred to as the Consolidated “List of Lists”, is intended to help facilities handling chemicals identify their regulatory obligations under EPCRA Sections 302, 304, and 313, CERCLA Section 103, and CAA section 112(r). This document also includes waste stream codes for listed and unlisted hazardous wastes under the Resource Conservation and Recovery Act (RCRA); a list of radionuclides reportable under CERCLA and the definitions or explanation of chemical categories listed under EPCRA Section 313 and CERCLA.

This consolidated list does not include all hazardous chemicals subject to the reporting requirements in EPCRA Sections 311 and 312. These are determined by broader criteria under OSHA’s Hazard Communication Standard (29 CFR 1910.1200) and include more than 500,000 products. For those requirements, refer to 40 CFR Part 370.

Additional Information Needed for Reporting

To complete EPCRA Section 312 and 313 reports, you’ll need:

- Your facility’s primary NAICS Code ([Find it here](#))
- Your Dun & Bradstreet (D-U-N-S) Number, which can be obtained from your organization’s financial officer

Important: *EPCRA regulations are subject to change. Facility owners and operators are responsible for staying current with legal updates and adjusting their reporting practices accordingly.*

STATE OF FLORIDA REPORTING AND NOTIFICATION FEES

The Florida Hazardous Materials Emergency Response and Community Right-to-Know Act of 1988, [Chapter 252, Part II, Florida Statutes](#), provides a funding mechanism to support emergency planning efforts and the extensive Community Right-to-Know requirements. The fees related to the specific programs will be discussed in later sections of this manual. A complete summary of all State fees can be found in **Appendix D: Fee Structure Matrix**.

EPCRA SECTION 302 - CHEMICAL NOTIFICATION

Your facility must submit a Section 302 notification if it has any Extremely Hazardous Substance (EHS) present at or above its Threshold Planning Quantity (TPQ), or 500 pounds, whichever is least.

- Initial notification is due within 60 days of first having an EHS at or above its TPQ, or 500 pounds.
- Each facility must submit a separate notification.
- A one-time fee is assessed with the first notification. Details are in the Summary of Fees (see page C).

Important: *This requirement applies even if the EHS is on-site for only one day. There are no exemptions from the emergency planning notification.*

Identifying Extremely Hazardous Substances

- EHSs are listed in the EPA's Consolidated List of Lists.
- Look under the column "EPCRA Section 302 EHS TPQ" for substances with a TPQ (in pounds).
- The EPA updates this list periodically—it is the facility's responsibility to stay informed and submit updated notifications as needed.

How to Determine if You Meet the TPQ

To assess if your facility meets or exceeds the TPQ for an EHS:

- Calculate the maximum quantity, in pounds, of the substance present at any one time, regardless of:
 - Where it is stored on-site
 - How long it is present
 - Number of containers
 - Storage method
- Include the amount of an EHS present in mixtures if:
 - It exceeds 1% of the mixture, or
 - It is a carcinogen and exceeds 0.1%, even if listed as inert or active.

Chemical Components in Mixtures

To calculate the amount of an Extremely Hazardous Substance (EHS) or other hazardous chemical in a mixture, multiply the percentage of the chemical by the total weight of the mixture.

Example:

If a facility has 150 pounds of a mixture that contains 50% of a specific EHS:
 $150 \text{ lbs} \times 0.50 = 75 \text{ lbs}$ of the EHS present.

Compare this amount to the Threshold Planning Quantity (TPQ) for that EHS to determine if reporting under EPCRA Section 302 is required.

Extremely Hazardous Substances (EHSs) in Solid Form

Some EHSs that are solids have two Threshold Planning Quantities (TPQs) – for example, 500/10,000 **pounds**.

Which TPQ applies depends on the physical form of the solid:

- Use the lower TPQ (e.g., 500 lbs) if the solid:
 - Is a fine powder with particles < 100 microns,
 - Is in solution,
 - Is in molten form, or
 - Has an NFPA reactivity rating of 2, 3, or 4.
- Use the higher TPQ (e.g., 10,000 lbs) if none of these conditions apply.

How to Calculate Amounts for Reporting

a) Solid Powder (<100 microns):

Multiply the percentage of the fine powder in the container by the total container weight.

Example:

5,000 lbs of solid, 25% is EHS powder under 100 microns:

$5,000 \times 0.25 = \mathbf{1,250 \text{ lbs}}$ → exceeds 500 lbs TPQ → **Reporting required.**

b) Solid in Solution:

Multiply the weight of the solution by the percentage of the EHS, then multiply by 0.2.

Example:

20 gallons of 37% paraquat dichloride, density = 9.33 lbs/gal

$20 \times 9.33 \times 0.37 = 69 \text{ lbs} \times 0.2 = \mathbf{13.8 \text{ lbs}}$

TPQ = 10 lbs → **Reporting required.**

Note: The 0.2 factor is only for Section 302 emergency planning, not for Tier II reporting.

c) Solid in Molten Form

Multiply the weight of the molten solid by 0.3.

Example:

1,000 lbs of molten solid → $1,000 \times 0.3 = \mathbf{300 \text{ lbs}}$

Compare this to the TPQ to determine reporting.

Note: The 0.3 reduction does not apply to Tier II (Section 312) reporting.

Combining Multiple Forms

If a facility has an EHS in more than one form, the total amount must be added together and compared to the TPQ.

Example:

- 60 lbs of EHS in solution $\times 0.2 = 120$ lbs
- 400 lbs of EHS powder under 100 microns
 $\rightarrow 120 + 400 = \mathbf{520\ lbs} \rightarrow$ exceeds 500 lbs TPQ \rightarrow **Reporting required.**

Important Exception

Do not use the 0.2 (solution) or 0.3 (molten) reduction factors for 12 reactive solid EHSs marked with footnote "a" in 40 CFR Part 355, Appendix A & B. These have fixed TPQs and must be reported as-is. A reference table is available for those chemicals.

REACTIVE SOLIDS	RQ	TPQ
Aluminum Phosphide	100	500
Lithium Hydride	100	100
Methyl Isothiocyanate	500	500
Methyl Phosphonic Dichloride	100	100
Phosphorus	1	100
Phosphorus Pentachloride	500	500
Potassium Cyanide	10	100
Potassium Silver Cyanide	1	500
Sodium Azide (Na(N ₃))	1000	500
Sodium Cyanide (Na(CN))	10	100
Sulfur Trioxide	100	100
Zinc Phosphide	100	500

EPCRA SECTION 303 - FACILITY REPRESENTATIVE DESIGNATION

Facilities subject to Section 302 must provide the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC) with the name and phone number of a designated facility representative. This contact information must be kept up to date.

The purpose of this requirement is to ensure the LEPC knows which facilities have Extremely Hazardous Substances (EHSs) and can include them in local Emergency Response Plans. The facility representative is responsible for supplying the LEPC with the information needed to support emergency planning.

EPCRA SECTIONS 302 AND 303 REPORTING PROCEDURES

Facilities in Florida must use [E-Plan](#) for electronic submission of required notifications and payment of associated fees. Filing through E-Plan meets the notification requirements for both the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC).

Facilities should also **contact their local fire department** to confirm how they prefer to receive notifications (e.g., E-Plan, mail, or email).

Important: A change in facility ownership that results in a new Federal Employer Identification Number (FEIN) requires a new notification and payment of the filing fee. If only the facility name changes and the FEIN remains the same, no new filing or fee is required.

Current EPA rules for Sections 302 and 303 can be found in **40 CFR Parts [300](#) and [355](#)**.

EPCRA Section 302 Notification Fee

Pursuant to [Section 252.85\(2\), Florida Statutes](#), any "public or private" facility subject to federal EPCRA Section 302 for Extremely Hazardous Substances shall pay a one-time filing fee of \$50 per facility utilizing [E-Plan](#) for electronic filing and fee payment.

- The Section 302 Notification fee shall not be required for any agricultural facilities within NAICS Codes 111XXX, 112XXX, 115XXX, 311119, 311611, 541320, 541690, 541940, 561730, or 812910 that are subject to the emergency notification requirement solely because of the presence of EPCRA listed substances in temporary or portable storage units located at the facility for less than 48 consecutive hours.

NOTE: Any change in the identity of the owner/operator requires a new Section 302 notification and filing fee.

SECTION 302 FILING & PAYMENT	FEE AMOUNT	DUE DATE
E-Plan	\$50 PER FACILITY (public and private)	WITHIN 60 DAYS OF EHS PRESENT AT TPQ

Statement of Determination/Deregistration

A Statement of Determination Form/Deregistration Form (SOD) should be submitted to notify the SERC, LEPC, and local fire department of changes to a facility's status relative to Sections 302 and 303. Examples of status changes include facility closed, chemicals removed, chemicals reduced below threshold, facility sold. The Statement of Determination Form/Deregistration Form is available on the Technological Hazards Technical Resources [webpage](#) and in **Appendix E** of this manual.

SECTION 304 – EMERGENCY RELEASE NOTIFICATION

Under Section 304 of EPCRA, facility owners or operators are required to report certain chemical releases. Reporting is mandatory for releases involving either of the following chemical categories:

1. Extremely Hazardous Substances (EHSs)
2. CERCLA Hazardous Substances (HSs) under the Comprehensive Environmental Response, Compensation, and Liability Act

Substances subject to EPCRA Section 304, and their associated Reportable Quantities (RQs), are listed in the EPA's Consolidated "List of Lists."

A list of release scenarios and reporting requirements can be found in **Appendix C**.

Immediate Notification Requirements

If a release from a fixed facility equals or exceeds the RQ for any EHS or CERCLA HS, immediate verbal notification must be made—within 15 minutes—to the following:

- Florida State Watch Office (SWO) at (850) 815-4001 or (800) 320-0519
(*This 24-hour number is for emergencies only*)
- National Response Center (NRC) at (800) 424-8802 (*required for CERCLA HS releases*)

For transportation-related incidents, compliance with Section 304 may be achieved by calling 911 or, if unavailable, contacting the local telephone operator.

An RQ is the minimum quantity of a substance that, if released into the air, water, or land, requires notification.

Initial Emergency Notification Must Include:

1. Chemical name
2. Whether the substance is an EHS
3. Estimated quantity released
4. Time and duration of the release
5. Environmental medium affected (air, water, land)
6. Known or anticipated acute/chronic health risks and recommended medical care
7. Precautionary measures (e.g., evacuation or shelter-in-place)
8. Name and telephone number of a facility contact person

Note: Releases that are part of routine operations, stable in quantity and rate, and exceed the RQ may be reported under *Continuous Release* guidelines, provided they are not Federally Permitted Releases.

Follow-Up Written Notification

Within seven (7) days of the initial release, the facility must submit one or more written follow-up emergency notice(s) to:

- The State Emergency Response Commission (SERC)

**State Emergency Response Commission
2555 Shumard Oak Boulevard
Tallahassee, FL 32399**

- The appropriate Local Emergency Planning Committee (LEPC). Please refer to Appendix B for a map of the LEPC regions, mailing addresses, and websites.

The follow-up notice must include:

1. Updated information from the initial verbal notification
2. Actions taken to respond to and contain the release
3. Known or anticipated health effects (acute or chronic)
4. Medical advice for exposed individuals

Exemption

Section 304 does not apply to releases of EHSs that result in exposure only within the facility site. However, if there is any uncertainty about offsite exposure, it is strongly advised to report the release.

Additional Regulatory Notes

Releases of CERCLA hazardous substances over their RQs must also be reported under CERCLA Section 103 ([40 CFR Part 302](#)).

EPA regulations for Section 304 are codified in [40 CFR Part 355](#).

EPCRA SECTION 311/312 - SDS/CHEMICAL LIST SUBMITTAL/TIER II REPORTING

EPCRA SECTION 311 – SDS/CHEMICAL LIST SUBMITTAL

EPA regulations for Section 311 are found in [40 CFR Part 370](#). Facilities must report:

1. Extremely Hazardous Substances (EHSs) present at or above the Threshold Planning Quantity (TPQ) listed in the Section 302 column of the EPA's *Consolidated List of Lists*, or 500 pounds, whichever is lower.
2. Hazardous chemicals (as defined by OSHA) present at or above 10,000 pounds at any one time, for which an SDS (Safety Data Sheet) is required.

OSHA requires SDSs for over 500,000 chemicals and mixtures, so there is no single list of regulated substances. Refer to [OSHA's Hazard Communication Standard](#) for definitions and requirements. As of June 2015, SDSs replaced MSDSs. Contact your chemical supplier to obtain the SDS for any substance used at your facility. A sample SDS request letter is available in **Appendix F**.

Section 311 is an initial notification only and does not require a fee. However, both public and private facilities must report within 90 days of acquiring a chemical that meets the criteria. Facilities must also update their submissions when significant changes occur—such as a change in hazard classification or when EPA revises a chemical's TPQ.

Florida facilities must submit Section 311 notifications electronically through [E-Plan](#). This satisfies notification requirements for the SERC and LEPC. Be sure to contact your local fire department to confirm their preferred notification method (E-Plan, mail, or email).

EPCRA SECTION 312 – TIER II REPORTING

Section 312 reporting requirements apply to the same facilities and chemicals covered under Section 311. Refer to the Section 311 – SDS/Chemical List Submission section for details on facility and chemical eligibility.

The Tier II Chemical Inventory Report is an annual requirement, due between January 1 and March 1 each year. Facilities must report any chemicals that were present at or above the applicable Threshold Planning Quantities (TPQs) at any point during the previous calendar year.

The Tier II report includes:

- Chemical names and associated hazards
- Maximum and average daily amounts
- Physical and health hazards
- Storage locations and conditions

EPA's rules for Section 312 are codified at [40 CFR Part 370](#).

Florida facilities must submit their Tier II reports electronically using [E-Plan](#). E-Plan satisfies the State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC) notification requirements.

Important: Certain chemicals and facility types may be exempt from Sections 311 and 312 reporting. Refer to the “Sections 311 and 312 Exemptions from Reporting” section of this chapter to determine if your facility qualifies for any exemptions or if changes affect your reporting obligations.

Facilities may:

- Use E-Plan to create and submit their Tier II reports directly, or
- Upload Tier II files generated with EPA’s Tier2Submit software (updated annually in November/December)

Important: Contact your local fire department to determine their preferred method of receiving notification (E-Plan, email, or mail).

For information or assistance on filing Tier II reports electronically, contact the Tier II Compliance Unit at (800) 635-7179 (Florida only) or (850) 815-4000 or visit the [Technological Hazards webpage](#).

Statement of Determination/Deregistration

A Statement of Determination Form/Deregistration Form (SOD) should be submitted to notify the SERC, LEPC, and local fire department of changes to a facility’s status relative to Sections 311, and 312. Examples of status changes include facility closed, chemicals removed, chemicals reduced below threshold, facility sold. The Statement of Determination Form/Deregistration Form is available on the Technological Hazards Technical Resources [webpage](#) and in **Appendix E** of this manual.

FLORIDA SECTION 312-TIER ANNUAL REGISTRATION FEE STRUCTURE

SECTION 312 – TIER II	FILING & PAYMENT IN E-PLAN	FILING AND FEES DUE BEEN JANUARY 1 ST MARCH 1 ST ANNUALLY
CATEGORY A REGULATED INDUSTRIES COVERED BY CHAPTERS 368, 527, OR § 376.303, FLORIDA STATUTES	\$2.50 PER EMPLOYEE \$25 MINIMUM \$500 MAXIMUM COMPANIES ARE ELIGIBLE FOR THE REDUCED FEE ONLY IF THEY DO NOT HAVE PRESENT EHSS THAT MEET OR EXCEED THE TPQ.	
CATEGORY B AGRICULTURAL FACILITIES SUBJECT TO "ROUTINE AGRICULTURAL USE" EXEMPTION	\$10 PER EMPLOYEE \$25 MINIMUM \$1,000 MAXIMUM	
CATEGORY C ALL OTHER FACILITIES	\$10 PER EMPLOYEE \$25 MINIMUM \$2,000 MAXIMUM	

Late Fee Policy (EPCRA) – Section 252.85(3)(a)(b), Florida Statutes

Facilities that fail to submit a report in substantial compliance with EPCRA requirements, or fail to pay required fees, will be subject to late fees.

- A written notice will be sent identifying the missing report or unpaid fee.
- The **first late notice** may assess a fee of **up to \$2,000**.

A **second notice** may assess an additional fee of **up to \$4,000**.

EPCRA SECTIONS 311 AND 312 - EXEMPTIONS FROM REPORTING

[OSHA regulations](#) currently provide the following exemptions:

- 1) Any hazardous waste defined by the Solid Waste Disposal Act, as amended (42 U.S.C. § 6901 et seq.), when subject to regulations issued under that Act;
- 2) Tobacco or tobacco products;
- 3) Wood or wood products;
- 4) "Articles" - defined under Section 1910.1200(b) as a manufactured item:
 - a. which is formed to a specific shape or design during manufacture;
 - b. which has end use functions(s) dependent in whole or in part upon the shape or design during end use;
 - c. which does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.
- 5) Food, drugs, cosmetics, or alcoholic beverages in a retail establishment which are packaged for sale to consumers;
- 6) Food, drugs, or cosmetics intended for personal consumption by employees while in the work place;
- 7) Any consumer product or HS, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. § 1251 et seq.) respectively, where the employer can demonstrate it is used in the work place in the same manner as normal consumer use, and which use results in a duration and frequency of exposure which is not greater than exposures experienced by consumers;
- 8) Any drug, as that term is defined in the Federal Food, Drug and Cosmetic Act (21 U.S.C. § 301 et seq.), when it is in solid, final form for direct administration to the patient, i.e., tablets or pills.

10) In addition, Section 311(e) of EPCRA excludes the following substances:

- a. Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration;
- b. Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use;
- c. Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public;
- d. Any substance to the extent it is used in a research laboratory, a hospital or other medical facility under the direct supervision of a technically qualified individual;

Any substance to the extent it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

REPORTING GUIDANCE FOR RETAIL FUEL FACILITIES

Retail petroleum facility owners/operators—such as gas stations, convenience stores, and truck stops—are not required to file under Sections 311 and 312 or pay annual registration fees if they meet the following conditions:

- They store only gasoline and diesel fuel entirely in underground tanks.
- The tanks hold less than 75,000 gallons (about 525,000 pounds) of gasoline or 100,000 gallons (about 525,000 pounds) of diesel fuel.
- No other reportable substances are stored on-site at or above threshold quantities.
- They comply with all applicable Underground Storage Tank (UST) requirements.

If a facility is not in compliance with the UST requirements, it is not eligible for the higher EPCRA thresholds when it first fails to meet the UST requirements.

SECTION 313 - TOXIC CHEMICAL RELEASE INVENTORY (TRI)

TRI tracks the waste management of certain toxic chemicals that may pose a threat to human health and the environment. U.S. facilities in different industry sectors must report annually how much of each chemical they release into the environment and/or managed through recycling, energy recovery and treatment, as well as any practices implemented to prevent or reduce the generation of chemical waste.

The information submitted by facilities is compiled in the Toxics Release Inventory. TRI helps support informed decision-making by companies, government agencies, non-governmental organizations and the public.

Who Must Report Under Section 313 – TRI

Facilities that report to TRI are typically larger facilities involved in manufacturing, metal mining, electric power generation, chemical manufacturing and hazardous waste treatment. Not all industry sectors are covered by the TRI Program, and not all facilities in covered sectors are required to report to TRI. A facility's coverage under the Toxics Release Inventory (TRI) Program is determined by its 6-digit North American Industry Classification System (NAICS) code. NAICS is a framework by which economic units that have similar production processes are classified into the same industry by a numerical designation. You may research your facility's code on the NAICS [website](#) if you are unsure of your facility's six-digit code. You will then use this code to determine if your industry or facility is subject to TRI in [TRI-MEweb](#).

The EPA Administrator may add sectors or delete sectors to or from the scope of the TRI, so it is important to check the list each year.

Covered facilities, including federal facilities, with ten or more full-time employees must report if they manufacture, process, or otherwise use a listed toxic chemical in quantities that meet or exceed annual cumulative threshold levels.

Important: *Not all industry sectors covered by the TRI Program are required to report, and not all facilities in covered sectors are required to report to TRI.*

What Substances Are TRI Chemicals?

There are currently over 799 individually listed chemicals and 33 chemical categories covered by the TRI Program. Facilities that manufacture, process, or otherwise use these chemicals in amounts above established levels must submit annual TRI reports on each chemical.

In general, chemicals covered by the TRI Program are those that cause:

- Cancer or other chronic human health effects
- Significant adverse acute human health effects
- Significant adverse environmental effects

The Toxic Chemicals and the chemical categories regulated under Section 313 are marked with an "X" or "A313" in the column titled "313" listed in the "Consolidated List of Chemicals".

TRI Reporting Requirements

Toxic Release Inventory reports are submitted to the EPA via [TRI-MEweb](#). Facilities, including federal facilities, with 10 or more full-time employees must report annually if they manufacture, process, or otherwise use listed toxic chemicals above established thresholds. This is done through the Toxic Chemical Release Inventory, using Form R or the abbreviated Form A, where applicable.

- Reports cover the previous calendar year and must be submitted annually between January 1 and July 1.
- Facilities that release less than 500 pounds of a listed chemical and do not exceed 1 million pounds of total activity for that chemical may submit Form A instead of Form R.
- Thresholds vary by chemical type and activity:
 - 25,000 pounds/year for manufacturing or processing
 - 10,000 pounds/year for other uses
 - Lower thresholds apply for Persistent Bioaccumulative Toxic (PBT) chemicals, such as lead.

For official forms, reporting thresholds, guidance documents, and training resources, please visit the EPA's TRI guidance [portal](#).

Important: *Florida does not require facilities to send TRI reports to the SERC, but state fees still apply for TRI chemicals.*

EPA's rules regarding Section 313 are contained in [40 CFR Part 372](#).

Toxics Release Inventory (TRI) Reporting Fee

Owners or operators required to file a Toxic Chemical Release Inventory Form R or Form A under Section 313 of federal EPCRA law must pay an annual reporting fee on or before July 1st. TRI fees are as follows:

- \$150 for each Form R submitted
- \$75 for each chemical listed on a Form A

TRI fees are paid through [E-Plan](#).

FLORIDA SECTION 313-TOXICS RELEASE INVENTORY FEE STRUCTURE

SECTION 313 – TRI	FILING IN FEDERAL TRI-MEweb & PAYMENT IN E-PLAN	FILING AND FEES DUE BY JULY 1 ST ANNUALLY
FORM R REPORT	\$150 PER REPORT	
FORM A REPORT	\$75 PER CHEMICAL LISTED REPORT	

Florida EPCRA Late Fee Policy – Section 252.85(3)(a)(b), Florida Statutes

Facilities that fail to submit a report in substantial compliance with EPCRA requirements, or fail to pay required fees, will be subject to late fees.

- A written notice will be sent identifying the missing report or unpaid fee.
- The first late notice may assess a fee of up to \$2,000.
- A second notice may assess an additional fee of up to \$4,000.

CAA 112r – RISK MANAGEMENT PLANNING

Section 112(r) of the Clean Air Act Amendments requires EPA to publish regulations and guidance for chemical accident prevention at facilities that use certain hazardous substances. These regulations and guidance are contained in the Risk Management Program (RMP) rule. The RMP rule requires facilities that use extremely hazardous substances to develop a Risk Management Plan which:

- identifies the potential effects of a chemical accident,
- identifies steps the facility is taking to prevent an accident, and
- spells out emergency response procedures should an accident occur.

These plans provide valuable information to local fire, police, and emergency response personnel to prepare for and respond to chemical emergencies in their community. Making RMPs available to the public also fosters communication and awareness to improve accident prevention and emergency response practices at the local level.

The RMP rule was built upon existing industry codes and standards. It requires facilities that use listed regulated Toxic or Flammable Substances for Accidental Release Prevention to develop an RMP and submit that plan to EPA.

Who must submit an RMP?

Facilities holding more than a threshold quantity of a regulated substance in a process are required to comply with EPA's RMP regulations. The regulations require owners or operators of covered facilities to implement a risk management program and to submit an RMP to EPA. See: [General Risk Management Program Guidance](#).

What information must an RMP include?

Each facility's program should address three areas:

- Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases;
- Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and
- Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

How often must facilities submit an RMP?

The plans are revised and resubmitted to the EPA every five years.

What chemicals must be reported under RMP?

The rule includes a [List of Regulated Substances](#) under section 112(r) of the Clean Air Act, including their synonyms and threshold quantities (in pounds) to help assess if a process is subject to the RMP rule. These regulated substances are also subject to the requirements of the [General Duty Clause](#). Where the Clean Air Act Section 112(r) program has been delegated to a state, that state may have additional requirements for the federally listed chemicals, and/or additional listed chemicals.

EPA's rules regarding Risk Management Program are contained in [40 CFR Part 68](#).

Florida regulations are codified under [Florida Statute 252.934-252.946](#).

How to Submit a Risk Management Plan (RMP) to EPA

Software called [RMP*eSubmit](#) is the only way to submit Risk Management Plans (RMPs) to EPA. RMP*eSubmit improves data quality and enables facilities to access their RMP 24 hours day, 7 days a week.

[RMP*Comp](#) is the electronic tool performs the off-site consequence analysis required under the Risk Management Program.

After you have prepared your plan using RMP*eSubmit, you may also re-submit, correct, or withdraw an RMP.

Facilities submitting confidential business information and trade secrets cannot use RMP*eSubmit at this time. Please contact the RMP Reporting Center for submission options.

Risk Management Program (RMP) Reporting Fee

RMP facilities must submit a registration fee and the appropriate registration fee form (unless you file/pay through [E-Plan](#)) to the State Emergency Response Commission no later than April 1. Fees are based upon the highest Program Level assigned to a regulated process. If your source location has more than one regulated process on-site, you must pay for the highest single Program Level Process and submit one fee form for that location. Fee caps are available for facilities with the same single chemical processes at multiple locations, and certain agricultural operations (see fee chart). Failure to submit the required fees by the deadline may result in the assessment of late fees. The Registration Fee Form RMP-001 is for single locations and for locations with process(es) subject to Program Level 3. Form RMP-002 is for multiple locations that are not subject to Program Level 3.

FLORIDA RMP FEE STRUCTURE

CAA 112r – RMP	FEDERAL RMP*eSubmit TO FILE E-PLAN TO PAY	MULTIPLE SEE TABLE BELOW	APRIL 1 EACH YEAR
PROGRAM LEVEL 1	\$100/STATIONARY SOURCE	\$50 EACH ADDITIONAL LOCATION WITH SAME OWNER AND CHEMICAL PROCESS.	\$1000 MAXIMUM
PROGRAM LEVEL 2	\$200/STATIONARY SOURCE	\$200 EACH FOR FIRST 3 SOURCES THEN \$100 PER EACH ADDITIONAL SOURCE	\$2000 MAXIMUM
PROGRAM LEVEL 2 AND HAVE (NAICS) CODES OF 111XXX, 112XXX, 115XXX, 311119, 311611, 541320, 541690, 541940, 561730, OR 812910	\$100/STATIONARY SOURCE	\$100 FOR FIRST SOURCE THEN \$50 PER EACH ADDITIONAL SOURCE	\$800 MAXIMUM

PROGRAM LEVEL 3	\$1000/STATIONARY SOURCE	NO MULTIPLE FEE REDUCTION	NO MAXIMUM
-----------------	-----------------------------	------------------------------	------------

Florida RMP Late Fee Policy – [Section 252.939, Florida Statutes](#), and [27P-21.003, Florida Administrative Code](#)

Late fees may be assessed for failure to submit the RMP annual registration fee to the Division by the April 1st deadline. Late fees are calculated at 10% of the annual registration fee per month, up to a maximum of 50% of the total fee for any given fee cycle.

GENERAL PROVISIONS

The general provisions of EPCRA address trade secret protection, provision of information to health professionals, public availability of information, enforcement, citizen suits, and the exemption for transportation.

SECTION 322 - TRADE SECRETS

The specific identity of a trade secret chemical may be withheld from an SDS, Tier II Report, or Toxic Chemical Release Form. To do so, the facility must apply for trade secret protection through the EPA.

Important: There are penalties for making false or frivolous trade secret claims.

To qualify, the applicant must demonstrate that:

- 1) The chemical identity has only been shared with authorized individuals (such as LEPC members, government officials, employees, or others under confidentiality agreements), and steps are being taken to keep it confidential.
- 2) The information is not required to be publicly disclosed under other federal or state laws.
- 3) Releasing the information would likely cause significant competitive harm.
- 4) The chemical identity cannot be easily discovered through reverse engineering.

EPCRA SECTION 323 - INFORMATION FOR HEALTH PROFESSIONALS

This section requires disclosure of information including trade secret chemical identity information to health professionals, doctors, and nurses in certain specified situations.

EPCRA SECTION 324 - PUBLIC AVAILABILITY OF INFORMATION

Emergency Response Plans, Safety Data Sheets (SDSs), SDS lists, Tier II Reports, Toxic Chemical Release Forms, and follow-up emergency notices are available to the public upon request. To submit a Public Records Request, contact the [Public Information Officer](#) at the Florida Division of Emergency Management.

NOTE: There is a copying charge of fifteen (15) cents per page for up to twenty-five (25) pages and one (1) dollar per page for over twenty-five (25) pages of copy requested.

EPCRA SECTION 325 - FEDERAL ENFORCEMENT PENALTIES

Section 325 provides for administrative, civil, and criminal penalties for violations under the following sections:

REQUIREMENT	SECTION	ADMINISTRATIVE	CIVIL	CRIMINAL
Emergency Planning Notification	302	N/A	\$71,545	N/A
Facility Representative	303	N/A	\$71,545	N/A
Emergency Release Notification	304	\$71,545 or \$214,637	\$71,545 or \$214,637	\$71,545 or \$214,637

Chemical Inventory	312	\$71,545	\$71,545	\$71,545
Toxic Release Inventory	313	\$71,545	\$71,545	\$71,545
Trade Secret Claim	322	\$71,545	\$71,545	\$71,545

Section 252.86, Florida Statutes, provides for civil and criminal penalties for the provision of false information. Furthermore, any provision of Section 325 or Section 326 of EPCRA which creates a Federal Cause of Action, other than an administrative proceeding, provides a corresponding Cause of Action under the State law, with jurisdiction in the circuit courts. Sections 252.86 (3)(a)(b) provide for the assessment of late fees for failure to submit a report that substantially complies with the requirements of EPCRA or Section 252.87, Florida Statutes, by the specified date or for failure to pay any fee required under Section 252.85, Florida Statutes.

EPCRA SECTION 326 - CIVIL ACTIONS

This section authorizes civil suits by citizen and State or local governments against owners or operators of a facility, for failure to comply with specific provisions of the Act. It also authorizes citizen suits against the EPA Administrator and State officials for failure to comply with the obligations imposed on them by the Act.

EPCRA SECTION 327 - EXEMPTION FOR TRANSPORTATION

The transportation exemption applies to substances being transported, not to particular facilities. Substances present at a terminal which are being transported, or stored while waiting for transport, are exempt from reporting requirements. The exemption does not apply to the emergency reporting of a chemical release requirements of Section 304.

APPENDIX A AGENCIES & ORGANIZATIONS

(Telephones answered during business hours, Monday - Friday)



State Emergency Response Commission

2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100

(800) 635-7179 (Florida only)

(850) 815-4000

Web Site Address: <https://www.floridadisaster.org/dem/response/technological-hazards/>



U.S. Environmental Protection Agency

Environmental Protection Agency

1200 Pennsylvania Avenue, N.W.

Washington, DC 20460

(202) 564-4700

Web Site Address for EPCRA: <https://www.epa.gov/epcra>

Web Site Address for Clean Air Act, Section 112(r): <https://www.epa.gov/rmp>

U.S. Environmental Protection Agency, Region IV

Sam Nunn Atlanta Federal Center 61 Forsyth Street SW

Atlanta, Georgia 30303-8960

(800) 241-1754

Web Site Address: <https://www.epa.gov/aboutepa/about-epa-region-4-southeast>

Occupational Safety and Health Administration

Private Sector Complaints and Safety Issues - (800) 321-6742

Fatalities - (800) 321-6742

Fort Lauderdale - (954) 424-0242

Jacksonville - (904) 232-2895

Tampa - (813) 626-1177

Web Site Address: <http://www.osha.gov>



Dunn and Bradstreet Office

(800) 526-9018

(Call to obtain your facility's identification number or to have one assigned.)

Web Site Address: <http://www.dnb.com/>

Emergency Telephone Numbers

(Telephones answered 24 hours a day, seven days a week.)

FOR REPORTING EMERGENCY RELEASES OR SPILLS ONLY:

National Response Center

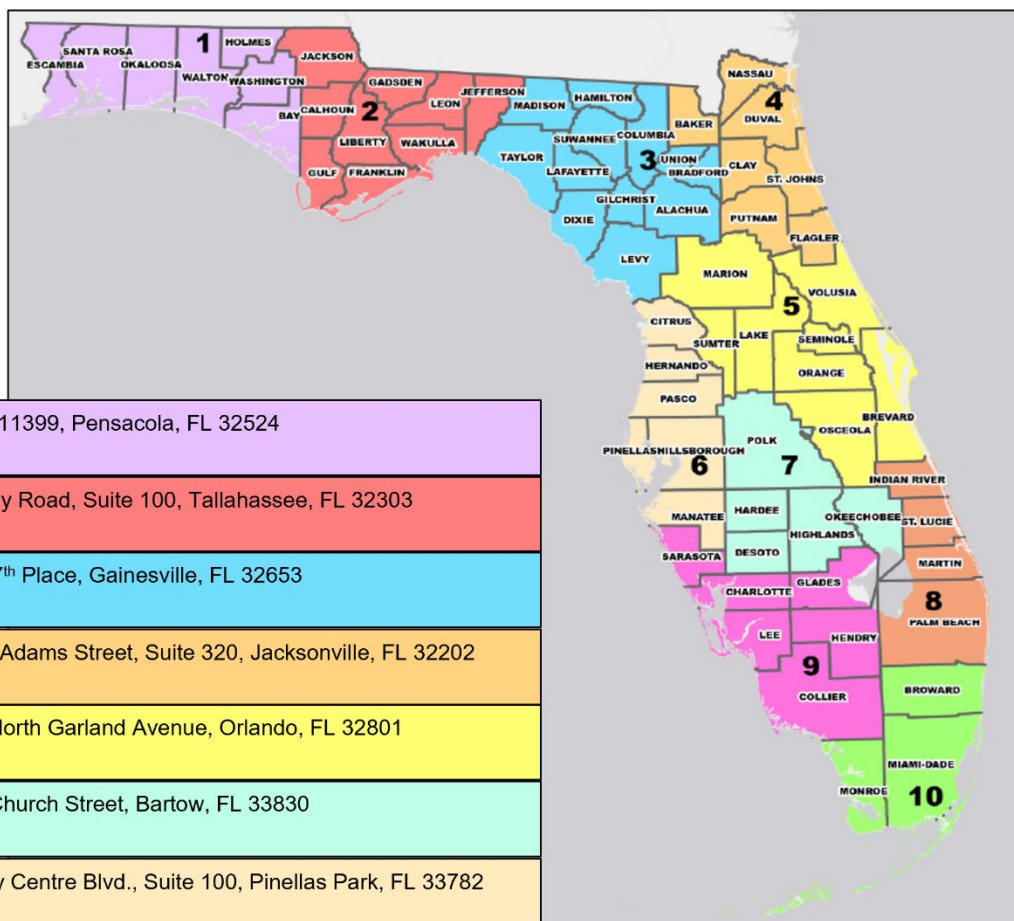
(800) 424-8802

Florida State Watch Office

(800) 320-0519 or (850) 815-4001

APPENDIX B

LOCAL EMERGENCY PLANNING COMMITTEES



Emerald Coast LEPC, P.O. BOX 11399, Pensacola, FL 32524

www.ecrc.org/LEPC

Appalachee LEPC, 2507 Callaway Road, Suite 100, Tallahassee, FL 32303

www.theapc.com

North Central LEPC, 2009 NW 67th Place, Gainesville, FL 32653

www.ncflepc.org

Northeast Florida LEPC, 40 East Adams Street, Suite 320, Jacksonville, FL 32202

www.neflepc.org

East Central Florida LEPC, 455 North Garland Avenue, Orlando, FL 32801

www.ecfrpc.org

Central Florida LEPC, 555 East Church Street, Bartow, FL 33830

www.cfrpc.org

Tampa Bay LEPC, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

www.tbrpc.org

Southwest Florida LEPC, 1400 Colonial Blvd., Suite 1, Fort Myers, FL 33907

www.swfrpc.org

Treasure Coast LEPC, 421 SW Camden Avenue, Stuart, FL 34994

www.tcrpc.org

South Florida LEPC, One Oakwood Blvd., Suite 250, Hollywood, FL 33020

www.sfregionalcouncil.org

APPENDIX C

RELEASE REPORTING REQUIREMENTS

RELEASE	State Watch 800-320-0519	FDEP Notice of Pollution SW District 813-470-5954	National Response Center 800-424-8802
Note: Call 911 if there are any injuries, property damage, or vehicle incident			
Any amount of contaminant in a storm drain, waterbody, or waterway	X	X	*Sheen
Any spill that occurs during transportation	X	X	*Sheen
Twenty-five or more gallons of fuels or oils that come in contact with the soil	X	X	–
Any process water release that exceeds 1000 gallons	X	X	*Sheen
Any spill or release that results in injuries, property damage, or environmental damage	X	X	X
Any spill of sodium hypochlorite that exceeds 100 pounds.	X	X	X
A release of chlorine gas at or above 10 pounds.	X	X	X
A release of sulfuric acid at or above 1000 pounds	X	X	X
A release of ammonia at or above 100 pounds	X	X	X
A Release of one pound of certain pesticides. Refer to Pesticide List	X	X	X
Two releases of forty-two gallons or more, at the same SPCC facility, within a one-year period.	X	X	X

NOTE: If there is any question about meeting reporting requirements, report the release.

When considering a Sheen, consider anything that changes the characteristics of the water. If water has a milky look, it could be organic pesticides.

APPENDIX D

SUMMARY OF THE FLORIDA FEES & FILING REQUIREMENTS

FLORIDA SECTION 302 NOTIFICATION FEES

SECTION 302 FILING & PAYMENT	FEE AMOUNT	DUE DATE
E-Plan	\$50 PER FACILITY (public and private)	WITHIN 60 DAYS OF EHS PRESENT AT TPQ

FLORIDA SECTION 312-TIER ANNUAL REGISTRATION FEE STRUCTURE

SECTION 312 – TIER II	FILING & PAYMENT IN E-PLAN	FILING AND FEES DUE BEEN JANUARY 1ST MARCH 1ST ANNUALLY
CATEGORY A REGULATED INDUSTRIES COVERED BY CHAPTERS 368, 527, OR § 376.303, FLORIDA STATUTES	\$2.50 PER EMPLOYEE \$25 MINIMUM \$500 MAXIMUM COMPANIES ARE ELIGIBLE FOR THE REDUCED FEE ONLY IF THEY DO NOT HAVE PRESENT EHSS THAT MEET OR EXCEED THE TPQ.	
CATEGORY B AGRICULTURAL FACILITIES SUBJECT TO "ROUTINE AGRICULTURAL USE" EXEMPTION	\$10 PER EMPLOYEE \$25 MINIMUM \$1,000 MAXIMUM	
CATEGORY C ALL OTHER FACILITIES	\$10 PER EMPLOYEE \$25 MINIMUM \$2,000 MAXIMUM	

FLORIDA SECTION 313 – TOXICS RELEASE INVENTORY FEE STRUCTURE

SECTION 313 – TRI	FILING IN FEDERAL TRI-MEweb & PAYMENT IN E-PLAN	FILING AND FEES DUE BY JULY 1ST ANNUALLY
FORM R REPORT	\$150 PER REPORT	
FORM A REPORT	\$75 PER CHEMICAL LISTED REPORT	

FLORIDA RMP FEE STRUCTURE

CAA 112r – RMP	FEDERAL RMP*eSubmit TO FILE E-PLAN TO PAY	MULTIPLE SEE TABLE BELOW	APRIL 1 ANNUALLY
PROGRAM LEVEL 1	\$100/STATIONARY SOURCE	\$50 EACH ADDITIONAL LOCATION WITH SAME OWNER AND CHEMICAL PROCESS.	\$1000 MAXIMUM
PROGRAM LEVEL 2	\$200/STATIONARY SOURCE	\$200 EACH FOR FIRST 3 SOURCES THEN \$100 PER EACH ADDITIONAL SOURCE	\$2000 MAXIMUM

APPENDIX E STATEMENT OF DETERMINATION FORM

INSTRUCTIONS

Check the box at the top of the form that best describes the reason for the notification.

Exempt from Reporting: Check this box if all Hazardous Substances (HSs) and Extremely Hazardous Substances (EHSs) were below threshold for the entire calendar year.

Deregister Facility: Check this box if all Hazardous Substances and Extremely Hazardous Substances were permanently reduced below threshold or removed.

Facility/Chemical Status Change: Check this box to notify the State of a significant change at your facility. For example, this may be a change in ownership or a reduction or removal of one or more substances in your chemical inventory, though others remain on site at reportable quantities.

Enter the facility's name, address (including zip code), LEPC Region, County, SERC ID or Access ID. See below for definitions of LEPC, SERC ID, and Access ID.

LEPC: Local Emergency Planning Committee. To find your LEPC region, go to <https://www.floridadisaster.org/dem/response/technological-hazards/serc/lepc/>

SERC ID: This is a number assigned to the facility location by Florida Division of Emergency Management Tier II staff. This number can be found next to the facility name in E-Plan or the PDF of the Tier II Form next to Florida Facility ID.

Access ID: Username for logging into your E-Plan account and submitting a Tier II. This is a 7-digit number beginning with a '1' and a '0'. Example: 1023456

Check the appropriate box(es) next to the EPCRA sections for which you are making notification. See below for an explanation of each section.

Section 302/303: This is the section under the Emergency Planning and Community Right-to-Know Act (EPCRA) governing the one-time notification of the presence of an Extremely Hazardous Substance above Threshold Planning Quantity (TPQ). These substances and corresponding TPQs can be found on the Environmental Protection Agency's Consolidated List of Lists located at <https://www.epa.gov/epcra/consolidated-list-lists>. The applicable TPQs are under the Section 302 column.

Section 311/312: EPCRA section governing the annual reporting of Extremely Hazardous Substances and Hazardous Substances. Hazardous Substances are reportable when they are present at or above 10,000 pounds at any one time during the calendar year. Hazardous Substances are defined under the OSHA Hazard Communication Standard, 29 CFR 1910.1200. For more information, go to <https://www.osha.gov/hazcom>.

Further Explanation Box

Use this space to provide additional information regarding the change that has occurred at your facility. This may include a new owner's name and contact details, the name and CAS number of any substance that was reduced below TPQ or removed, or any other information that may substantially effect an emergency response to your facility.

Certification

Enter your name, signature, and date on the form. Email the form to TierII@em.myflorida.com, or your point of contact at the Florida Division of Emergency Management. You should also provide a copy of the form to your LEPC and local fire department.

FLORIDA DIVISION OF EMERGENCY MANAGEMENT

Statement of Determination

(Check Only One)

<input type="checkbox"/> Exempt from Reporting for Filing Year _____ *Due to chemicals being under threshold for the filing year	<input type="checkbox"/> Deregister Facility *Facility closed and all chemicals removed *Facility open and all chemicals removed *Chemicals permanently reduce to below threshold	<input type="checkbox"/> Facility/Chemical Status Change *Facility Sold *One or more chemicals removed, other substances remain above threshold
--	---	--

Facility Name:				
Street:		City:		Zip:
LEPC:		County:	SERC ID or Access ID:	
SECTIONS 302 - 303	<input type="checkbox"/>	Extremely Hazardous Substances (EHSs) <u>WERE</u> present only in amounts less than established Threshold Planning Quantities (TPQs) <i>as of this date</i> :		
	<input type="checkbox"/>	NO EHSs were present on-site during the current filing year. <i>ALL EHSs were removed as of this date:</i>		
SECTIONS 311 - 312	<input type="checkbox"/>	Hazardous Substances (HSs)/EHSs <u>WERE</u> present only in amounts below established Threshold Planning Quantities (TPQs) <i>as of this date</i> :		
	<input type="checkbox"/>	NO Hazardous Substances (HSs)/EHSs <u>WERE</u> present on-site during the current filing year. List the <i>date ALL HSs/EHSs were removed</i> :		
STATUS CHANGE	<input type="checkbox"/>	Closed Facility: <input type="checkbox"/> YES <input type="checkbox"/> NO	Chemicals Removed: <input type="checkbox"/> YES <input type="checkbox"/> NO	Chemicals Permanently Below TPQ: <input type="checkbox"/> YES <input type="checkbox"/> NO
	<input type="checkbox"/>	Date Effective:		

Further Explanation (ex: facility sold with date, name and CAS Number of chemical removed/reduced chemical, etc.):

--

Certification: (Read and sign after completing all sections)

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this page, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the submitted information is true, accurate and complete.

 Name and Official Title of Owner / Operator OR Owner / Operator's Authorized Representative

 Signature

 Date Signed

APPENDIX F

SAMPLE SDS REQUEST LETTER

[Date]

[Supplier Name]

[Supplier Street Address/P.O. Box]

[City], [State] [Zip]

Dear Supplier:

In connection with our purchase of your product, [Name of Chemical(s)], we require a Safety Data Sheet (SDS), for that product which meets the standards prescribed by the Occupational Safety and Health Administration's Hazard Communication Standard.

We at [Company Name] take pride in our efforts with respect to the health and safety of our employees and the appropriate disposal of hazardous materials and environmental protection. Your cooperation in promptly supplying us with the most recent SDS for the product(s) we are purchasing with Purchase Order # would be most appreciated.

If an SDS is not required on this product, please indicate below and return a copy of this correspondence. SDS is not required on product(s) requested:

[Signature Line/Date Line]

Please send the SDS and/or this letter to: [Name]

[Your Name]

[Your Street Address/P.O. Box]

[City], [State] [Zip]

Respectfully,

[Name]

APPENDIX G

FREQUENTLY ASKED QUESTIONS

EPCRA Section 302

Who is subject to Section 302?

The owner or operator of a facility with any EHS present at or above its TPQ at any time.

Must a facility have EHSs present for a specified period of time before Section 302 reporting requirements are triggered?

No. If EHSs are present at or above TPQs, the facility must comply with Section 302, regardless of duration.

EPCRA Section 312 – Tier 2

Who must pay the annual registration fee?

By March 1, facilities subject to Section 302 or 312 in the previous calendar year must pay the annual registration fee.

Who is subject to Section 312?

The owner or operator of a facility with either:

1. An EHS at or above its TPQ or 500 lbs (whichever is lower), or
2. A hazardous chemical at or above 10,000 lbs requiring an OSHA SDS.

How do I determine the amount of the fee?

The fee is based on the number of employees employed within the State by the facility owner or operator during the preceding year. The amount of the registration fee is either \$2.50 or \$10 per employee, with a minimum amount of \$25, and a maximum amount of \$2,000 per year.

What types of facilities qualify for reduced fees?

Any facility regulated under Chapters 368 (gas transmission and distribution facilities) or 527 (liquefied petroleum gas), or Section 376.303 (aboveground and underground storage tanks), Florida Statutes, and does not have present an EHS that meets or exceeds the TPQ, pays an annual registration fee of \$2.50 per employee, with a minimum of \$25, and a maximum of \$500 per year.

NOTE: *The owner or operator pays only one registration fee per year regardless of the number of facilities that are subject. The fee is based on the total number of employees that the owner or operator has employed throughout the State of Florida.*

When do I file the Tier II Report and pay the annual registration fees?

Tier II reports are submitted, and fees paid, between January 1st and March 1st annually.

NOTE: *Any change in the identity of the owner/operator of a Section 302 facility requires a new Section 302 notification and filing fee.*

What is the definition of an employee?

Employee means any employee who is eligible for coverage by Unemployment Compensation Insurance under the laws of the State of Florida as of December of the preceding year.

How do I determine the number of employees?

Use the statewide employee count reported to the Department of Revenue on your quarterly unemployment tax form (RT-6 or RT-7) for the quarter that includes December of the previous year.

NOTE: *Agricultural facilities which have chemicals that qualify for exemptions under Section 311(e) of EPCRA should determine the number of employees based on non-seasonal employees (see above for fees and a list of exemptions).*

What are the penalties for not complying in a timely manner?

Late fees apply if the annual fee or report is not submitted on time. Fees may be up to twice the required amount, with a maximum of \$4,000 per late submission.

How do I submit the annual registration fee?

Florida utilizes [E-Plan](#) for electronic filing and fee payment. Filers have the option of paying fees with a credit card or electronic funds transfer (ACH) from their bank account

Are there any exemptions to the annual registration fee?

Governmental bodies are exempt from paying the annual registration fee.

EPCRA Section 313

Is there a fee for Section 313 Form R Reports?

Yes, a fee of \$150 is assessed for each chemical reported on a Toxic Chemical Release Inventory Report, due on or before July 1 of each year.

Under Section 313, is there a fee for the Certification Form (Form A)?

Yes, a \$75 fee applies for each chemical reported on the Certification Form (Form A).

What are the statutory authorities for the fees?

[Section 252.85, Florida Statutes](#) and [Rule 9G-14, Florida Administrative Code](#) provides the statutory authority and definitions for reporting and late fees.

Where do I call if I have additional questions?

The Technological Hazards staff are available answer your questions Monday through Friday, during normal business hours at the numbers and email address below. You may also find answers to your questions on the Technological Hazards [webpage](#).

Phone: (800) 635-7179 (Florida Only) or (850) 815-4000

Email: TierII@em.myflorida.com

ATTACHMENT 1 THE MAJOR CHEMICALS IN FLORIDA

Name	NFPA 704	IDLH	VD	SG	ERG	Hazard(s)
H2SO4 Sulfuric Acid	3-0-2	15 mg m3	3.4	1.84	137 4 miles	Corrosive Reaction H2, SO2, SO3, H2S
NH3 Ammonia	3-1-0	300 ppm	.6	-	125 1.3 miles	Inhalation
SO2 Sulfur Dioxide	3-0-0	100 ppm	2.2	-	125 7+ miles	Inhalation
SO3 Sulfur Trioxide	3-0-3	100 ppm	2.8	-	137 3.6 miles	Inhalation Corrosive
H2S Hydrogen Sulfide	4-4-0	100 ppm	1.19	-	117 3.5 miles	Toxic Flammable
NO2 Nitrogen Dioxide	3-0-0	20 ppm	2.62	-	124 1.7 miles	Toxic
CHLORINE CL2	4-0-0	10 ppm	2.5	-	124 4.9/7+ miles	Toxic Inhalation
H2 Hydrogen	0-4-0	-	.07	-	115	Flammable
Sodium Hypochlorite	3-0-1	-	>1	1.0	154	Corrosive Toxic
Hydrogen Fluoride	4-0-1	30 ppm	,991	.87	125	Toxic Corrosive
Hydrogen Chloride	3-0-1	50 ppm	1.05	1.27	125	Inhalation Corrosive
Hydrogen Cyanide	4-4-1	50 ppm	.69	.9	117	Inhalation Flammable
Methyl Isocyanate	4-3-3	.12 ppm	.2x	.96	155	Inhalation Flammable
MODEF	0-1-0	-	>1	.86- .88		Combustible
MODEF	1-1-0	-	>5	.88- .89	128	Combustible

ATTACHMENT 2

FLORIDA PESTICIDE REPORTING GUIDELINES

This list is based on EPA's 2015 *List of Lists*, updated with common pesticide trade names, and is intended to help clarify Florida reporting requirements for field personnel using more familiar chemical names.

Threshold Planning Quantity (TPQ): Facilities with Extremely Hazardous Substances (EHSs) at or above the TPQ must conduct emergency planning. TPQs (in pounds) are listed next to the CAS number. For solids, two TPQs (500/10,000) may apply—the lower applies if the substance is powdered (<100 microns), in solution, or molten; otherwise, use 10,000 pounds.

Section 304 Reportable Quantity (RQ): Accidental releases of EHSs or Hazardous Substances (HSs) above their RQs must be immediately reported to state and local officials. Public access to this information is required. See Florida reporting details below.

CERCLA RQ: Releases of CERCLA-regulated HSs at or above their RQ (in pounds) must also be reported per Florida requirements.

Florida Reporting Requirements:

National Response Center (NRC)
(800) 424-8802

Florida State Watch Office
(800) 320-0519 or (850) 815-4001

Florida Department of Environmental Protection
Spill Reporting Requirements
<https://floridadep.gov/sec/sec/content/public-notice-pollution>

Florida Division of Emergency Management
2555 Shumard Oak Blvd.
Tallahassee FL, 32399
<https://www.floridadisaster.org/dem/response/technological-hazards/>

NOTE: All TPQs and RQs are listed in pounds.

CHEMICAL NAME	PESTICIDE TRADE NAME	CAS #	TPQ 1 /TPQ 2	SECTION 304 RQ	CERCLA RQ
Acrolein	Aqualine	107-02-8	500	1	1
Acrylonitrile	Acritet, Acrylofume, Carbacryl	107-13-1	10,000	100	100
Aldicarb	Temik	116-06-3	100/10,000	1	1
Aldrin	Aldrex, Aldrite, Drinox	309-00-2	500/10,000	1	1
Allyl alcohol	Allyl Alcohol	107-18-6	1,000	100	100
Aluminum phosphide	AL-Phos, Quickphos, Phostoxin	20859-73-8	500	100	100
Amiton	Tetram, Citram	78-53-5	500	500	
Amiton oxalate	AMITON Oxalate	3734-97-2	100/10,000	100	
Amitrole	Amitrole, Amizol, Fenavar	61-82-5			10
Ammonia	Ammonia	7664-41-7	500	100	100

CHEMICAL NAME	PESTICIDE TRADE NAME	CAS #	TPQ 1 /TPQ 2	SECTION 304 RQ	CERCLA RQ
Antimycin A	Fintrol, Virosin	1397-94-0	1,000/10,000	1,000	
ANTU	Krysid, Dirax.	86-88-4	500/10,000	100	100
Arsenic pentoxide	Wood Preservation	1303-28-2	100/10,000	1	1
Arsenic trioxide	Arsenic Trioxide	1327-53-3	100/10,000	1	1
Arsenous trichloride	Arsenous Trichloride	7784-34-1	500	1	1
Azinphos-ethyl	Azinof, Bionex, Ethyl Guthion	2642-71-9	100/10,000	100	
Azinphos-methyl	Guthion, Carefree	86-50-0	10/10,000	1	1
Bromadiolone	Nitragin, Maki, Cromone, Contral	28772-56-7	100/10,000	100	
Calcium arsenate	Pencal, Spray-cal, Turf-cal	7778-44-1	500/10,000	1	1
Camphechlor	Toxaphene	8001-35-2	500/10,000	1	1
Captan	Captan	133-06-2			10
Carbaryl	Sevin, Savit	63-25-2			100
Carbofuran	Furadan, Brifur, Chrisfuran	1563-66-2	10/10,000	10	10
Carbon disulfide	Carbon Disulfide	75-15-0	10,000	100	100
Carbophenothion	Trihion, Dagadip, Garrathion	786-19-6	500	500	
Chlordane	Belt, Chlorkill, Niram	57-74-9	1,000	1	1
Chlorfenvinfos	Supona, Apachlor, Birlane	470-90-6	500	500	
Chlorine	Clorine	7782-50-5	100	10	10
Chlormephos	Dotan	24934-91-6	500	500	
Chlormequat	CeCeCe, Cycocel, Cycogan	999-81-5	100/10,000	100	
Chloroform	Chloroform	67-66-3	10,000	10	10
Chlorophacinone	Rozal, Caid, Ramucide	3691-35-8	100/10,000	100	
Chloroxuron	Tenoran, Norex, Tenolan	1982-47-4	500/10,000	500	
Chlorpyrifos	Dursban, Lorsban	2921-88-2			1
Chlorthiophos	Celathion	21923-23-9	500	500	
Coumaphos	Co-Ral, Baymix	56-72-4	100/10,000	10	10
Creosote	Creosote	8001-58-9			
Crimidine	Castrix	535-89-7	100/10,000	100	
Cyanophos	Cyanox	2636-26-2	1,000	1,000	
Cycloheximide	ACT 1, Dione	66-81-9	100/10,000	100	
Demeton	Systox	8065-48-3	500	500	
Demeton-S-methyl	Metasystox, Demeton Methyl	919-86-8	500	500	
Dialifor	Dialifor	10311-84-9	100/10,000	100	
Diazinon	Diazinon, Spectracide	333-41-5			1
Dicamba	Banvil	1918-00-9			1,000
Dichlone	Phygon, Quintar	117-80-6			1
Bis(2-chloroethyl)	Chlorex	111-44-4	10,000	10	10
Dichlorvos	DDVP, Vapona, Avavap,	62-73-7	1,000	10	10
Benzenemethanol, 4-	Kelthane	115-32-2			10
Dicrotophos	Bidrin, Carbicron	141-66-2	100	100	
DDD	DDD	72-54-8			1

CHEMICAL NAME	PESTICIDE TRADE NAME	CAS #	TPQ 1 /TPQ 2	SECTION 304 RQ	CERCLA RQ
DDE	DDE	72-55-9			1
DDT	DDT	50-29-3			1
Dimefox	Hahane, Pestox XTV	115-26-4	500	500	
Dimethoate	Cygon, De-Fend, Rogor	60-51-5	500/10,000	10	10
Dimetilan	Snip	644-64-4	500/10,000	1	1
4,6-Dinitro-o-cresol	DNOX, Chemsect, Sinox	534-52-1	10/10,000	10	10
Dinitrobutyl phenol	Premerg, Basanit, Dinitro	88-85-7	100/10,000	1,000	1,000
Dinoterb	DNTB, Herbogil	1420-07-1	500/10,000	500	
Dioxathion	Delnav, Deltil	78-34-2	500	500	
Diphacinone	Ramik, Diphacin	82-66-6	10/10,000	10	
Diquat	Diquat	85-00-7			1,000
Disulfoton	DiSyston, Solvirex	298-04-4	500	1	1
Diuron	Direx, Karmex	330-54-1			100
Endosulfan	Thiodan, Endocel, Endosan	115-29-7	10/10,000	1	1
Endothall	Accelerate, Aquathol	145-73-3			1,000
Endothion	Endothian	2778-04-3	500/10,000	500	
Endrin	Endrex, Hexadrin	72-20-8	500/10,000	1	1
Epichlorohydrin	Epichlorihydrin	106-89-8	1,000	100	100
EPN	EPN	2104-64-5	100/10,000	100	
Ethion	Ethion	563-12-2	1,000	10	10
Ethoprop	Mocap, Jolt	13194-48-4	1,000	1,000	
1,2-Dibromoethane	EDB	106-93-4			1
Ethylene oxide	ETO, Oxirane	75-21-8	1,000	10	10
Famphur	Warbex	52-85-7			1,000
Fenamiphos	Nemacur	22224-92-6	10/10,000	10	
Fensulfothion	Dasanit, Terracur P	115-90-2	500	500	
Ferrous sulfate	Iron Sulfate	7782-63-0			1,000
Fluometil	Lambrol	4301-50-2	100/10,000	100	
Fluoroacetamide	Baran, Fussol, Rodex	640-19-7	100/10,000	100	100
Fonofos	Dyfonate	944-22-9	500	500	
Formaldehyde	Methanal, Formalin	50-00-0	500	100	100
Formetanae	Carzol, Dicarzol	23422-53-9	500/10,000	100	100
Formothion	Nem-A-Tak, Geofos	2540-82-1	100	100	
Fuberidazole	Voromit	3878-19-1	100/10,000	100	
Azinphos-methyl	Guthion, Carefree	86-50-0	10/10,000	1	1
Hexachloropropene	Nabac	1888-71-7			1,000
Isobenzan	Teledrin	297-78-9	100/10,000	100	
Isodrin	Isodrin	465-73-6	100/10,000	1	1
Lead arsenate	Lead arsenate	7645-25-2			1
Leptophos	Phosuel, MBCP	21609-90-5	500/10,000	500	
Cyclohexane,	Lindane	58-89-9	1,000/10,000	1	1
Malathion	Malathion	121-75-5			100

CHEMICAL NAME	PESTICIDE TRADE NAME	CAS #	TPQ 1 /TPQ 2	SECTION 304 RQ	CERCLA RQ
Mephosfolan	Cytrolane	950-10-7	500	500	
Mercuric cyanide	Mercuric Chloride	592-04-1			1
Mercuric oxide	Santar	21908-53-2	500/10,000	500	
Methamidophos	Monitor, Filitox	10265-92-6	100/10,000	100	
Methidathion	Supracide	950-37-8	500/10,000	500	
Mercaptodimethur	Mesuroi	2032-65-7	500/10,000	10	10
Ethanimidothioic acid,	Lannate, Nudrin	16752-77-5	500/10,000	100	100
Bromomethane	Bromo Methane	74-83-9	1,000	1,000	1,000
Isothiocyanato	Vorlex	556-61-6	500	500	
Methylmercuric	Cyano, Morsodren, Panogen	502-39-6	500/10,000	500	
Mevinphos	Phosdrin	7786-34-7	500	10	10
Mexacarbate	Zectran	315-18-4	500/10,000	1,000	1,000
Monocrotophos	Azodrin, Monocil	6923-22-4	10/10,000	10	
Naled	Dibrom	300-76-5			10
Nicotine	Nicotine	54-11-5	100	100	100
Nicotine sulfate	Nicotine Sulfate	65-30-5	100/10,000	100	100
Norbormide	Norbormide	991-42-4	100/10,000	100	
Oxamyl	Vydate	23135-22-0	100/10,000	100	100
Oxydisulfoton	Disyston S	2497-07-6	500	500	
Paraquat dichloride	Gramoxone	1910-42-5	10/10,000	10	
Paraquat	Pillarquate	2074-50-2	10/10,000	10	
Parathion	Ethyl parathion	56-38-2	100	10	10
Methyl parathion	Methyl parathion	298-00-0	100/10,000	100	100
Cupric acetoarsenite	Paris Green	12002-03-8	500/10,000	1	1
PCP	Penta	87-86-5			10
Ethaneperoxoic acid	Peracetic Acid	79-21-0	500	500	
Phenol	Phenol	108-95-2	500/10,000	1,000	1,000
Phenylmercuric	Agrosan	62-38-4	500/10,000	100	100
Phorate	Thimet, Agrimet	298-02-2	10	10	10
Phosfolan	Cyolane, Cylane	947-02-4	100/10,000	100	
#N/A	Appa, Imidan, Procate	732-11-6	#N/A	#N/A	#N/A
Phosphamidon	Apamidon, Dimecron	13171-21-6	100	100	
Phosphine	Phosphine	7803-51-2	500	100	100
Phosphorus	Phosphorus	7723-14-0	100	1	1
Pirimifos-ethyl	Primicid, Fernex, Primotec	23505-41-1	1,000	1,000	
Potassium	Potassium Permanganate	7722-64-7			100
Promecarb	Carbamult	2631-37-0	500/10,000	1000	1000
Propionic acid	Chemstoc, Grain treat	79-09-4			5,000
Prothoate	Fostion	2275-18-5	100/10,000	100	
Pyrethrins	Pyrethrins	121-21-1			1
Pyriminil	Vacor	53558-25-1	100/10,000	100	
Quinoline	Quinoline	91-22-5			5,000
Sarin	Sarin	107-44-8	10	10	

CHEMICAL NAME	PESTICIDE TRADE NAME	CAS #	TPQ 1 /TPQ 2	SECTION 304 RQ	CERCLA RQ
Silvex (2,4,5-TP)	Silvex	93-72-1			100
Sodium arsenate	Sodium Arsenate	7631-89-2	1,000/10,000	1	1
Sodium arsenite	Penite	7784-46-5	500/10,000	1	1
Sodium azide	Azide, Kazoe	26628-22-8	500	1,000	1,000
Sodium cacodylate	Bolate, Bulls-Eye	124-65-2	100/10,000	100	
Sodium cyanide	Cymage	143-33-9	100	10	10
Fluoroacetic acid	Sodium Fluoracetate	62-74-8	10/10,000	10	10
Sodium hypochlorite	Sodium Hypochlorite	7681-52-9			100
Sodium Selenate	Sodium Selenate	13410-01-0	100/10,000	100	
Strychnine	Strychnine	57-24-9	100/10,000	10	10
Strychnine, sulfate	Strychnine Sulfate	60-41-3	100/10,000	10	10
Sulfotep	Bladafune, Dithio	3689-24-5	500	100	100
Sulfoxide, 3-	Sulfoxide, 3- Chloroprophyltyl	3569-57-1	500	500	
Sulfur dioxide	Sulfur Dioxide	7446-09-5	500	500	
Sulfuric acid	Sulfuric Acid	7664-93-9	1,000	1,000	1,000
TEPP	Tetron, Vapotone	107-49-3	100	10	10
Terbufos	Counter, Contraven	13071-79-9	100	100	
Thallium sulfate	Thallium Sulfate	10031-59-1	100/10,000	100	100
Thiofanox	Benelux, Dacamox	39196-18-4	100/10,000	100	100
Thiram	Thiram	137-26-8			10
Phosphonic acid	Neguvon	52-68-6			100
Triamiphos	Wepsyn 155	1031-47-6	500/10,000	500	
Trichloronate	Agritox, Agrisil	327-98-0	500	500	
Warfarin	Co-Rax, Rodex	81-81-2	500/10,000	100	100
Warfarin sodium	Warfarin Sodium	129-06-6	100/10,000	100	100
Zinc phosphide	Phosvin, Ratal	1314-84-7	500	100	100
Zirconium sulfate	Zinc Sulphate	14644-61-2			5,000