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COMMISSIONER

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DEPARTMENT OF DEFENSE, VETERANS AND  
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PETER J. ROGERS  
DIRECTOR

November 30, 2022

Dear Facility Representative:

This letter serves as a reminder to facility owners and/or operators who manufacture, process, store, or otherwise utilize hazardous materials above the threshold planning quantity and/or reporting quantities of the statutory reporting requirements and processes therein. As a result of the 1986 Emergency Planning and Community Right-to-Know Act (EPCRA), the Maine State Emergency Response Commission (SERC) was established to promote chemical emergency preparedness and prevention through collaboration and planning. Federal and State EPCRA laws specify that facilities with inventories of hazardous chemicals or Extremely Hazardous Substances (EHS) meeting a specific threshold, must report those inventories and submit them to the local fire department, the Local Emergency Planning Committee (LEPC), and the SERC annually.

### **Reporting Thresholds and Requirements**

For EHS chemicals designated under EPCRA Section 302, the reporting threshold is 500 pounds or the threshold planning quantity (TPQ), whichever is lower (EHSs and their TPQs are listed in 40 CFR part 355, Appendix A and B). In addition, if you exceed the TPQ of an EHS chemical, you are also responsible for developing an Emergency Response Plan. The plan must include an annual review and include an exercise to meet all the requirements.

Enclosed you will find a sample facility annual letter of certification that expands on this requirement (Encl. 1). Requirements also include participation in activities and planning within your LEPCs.

The United States Environmental Protection Agency (EPA) has produced a Title III "List of Lists" to assist in identifying EHSs and their thresholds, Reporting Quantities for spill notifications, as well as chemicals reportable under the Toxic Chemical Release Reporting requirements. Copies are available online at <https://www.epa.gov/epcra/consolidated-list-lists>.

For all other hazardous chemicals for which facilities are required to have or prepare an SDS (Safety Data Sheets), the minimum reporting threshold is 10,000 pounds which is approximately 1500 gallons of liquid product.

The following schedule identifies specific fee amounts, reporting requirements, and the appropriate forms that must be completed for the Reporting Year 2022, which covers the period of January 1, 2022, to December 31, 2022 (Encl. 6 & 7):

Deadline	Description	Resource/Form
March 1, 2023	Annual Registration & Inventory Fee Payment Due	Green Worksheet (Encl. 8)
March 1, 2023	Tier II Submission Due*	US EPA Website via Tier2
July 1, 2023	Toxic Chemical Release Inventory Reports Due**	US EPA Website (Form R or A report)
July 1, 2023	Annual Toxic Chemical Release Fee Payment Due***	Blue Worksheet (Encl. 9)

*\*Maine requires all facilities to report electronically using the EPA's Tier2 Submit™ Software. Electronic submission is also required by your county LEPC and the SERC. Check with your local Fire Department on their report submission preference.*

*\*\*This report is based on information you supply each year for the Toxic Chemical Release Inventory (TRI) (EPA's Form R or A).*

*\*\*\* This fee applies **only** if you filed a Form R or A report for TRI*

### **Tier2 Submit™ Software and Training**

A new version of the Tier2 Submit™ software is created around November of each year. To download the latest version of this product and to see additional information regarding this tool visit <http://www.epa.gov/epcra/tier2-submit-software>. Virtual workshops have been scheduled on how to use the software and if you need assistance developing your report. For more information on these workshops, please see attached registration form (Encl. 2), or check the MEMA website located at <https://www.maine.gov/mema/maine-prepares/plans-trainings-exercises/serc>. Local LEPCs are also available to assist you with your report submissions (Encl. 5).

### **Additional Resources and Payment Options**

For your convenience, we have developed a template located at <https://www.maine.gov/mema/maine-prepares/plans-trainings-exercises/serc> to assist in accounting for your annual requirements. In addition, we have provided in this package a quick reference card for conversions as well as common North American Industry Classification System (NAICS) codes for use during the Tier2 Submit™ process (Encl. 3 & 4).

Payments can be made by check or credit card utilizing the credit card website found on the back of the fee worksheet, which is included in this packet. **Please indicate your desire to receive an invoice for your payment at the time of your report submission via email.**

As the Director of Maine Emergency Management Agency and Chair of the State Emergency Response Commission, I must emphasize the importance of the information that you provide under EPCRA. Your efforts allow Maine to continue to keep our public and first responders safe from any releases.

If you have any questions or require additional information, please contact Maine's Technological Hazards Program Manager, Faith Staples, at (207) 624-4400 or via email at [maine.serc@maine.gov](mailto:maine.serc@maine.gov).

Sincerely,



[Peter.J. Rogers \(Nov 16, 2022 08:37 EST\)](#)

Nov 16, 2022

Peter J. Rogers, Director  
Maine Emergency Management Agency

- Enclosure: (1) SERC Annual Letter of Certification  
(2) EPCRA Reporting Workshops  
(3) Converting Liquid Gallons to Pounds  
(4) Common NAICS Codes  
(5) List of County Local Emergency Planning Committees (LEPC)  
(6) Registration/Inventory Fee Instructions  
(7) Reporting Fee General Instructions  
(8) Green Tier II Registration Fee Worksheet/Credit Card Information Website  
(9) Blue Toxic Release (TRI) Fee Worksheet






# Annual Letter 2022

Final Audit Report

2022-11-16

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