To: Card, Joan[Card.Joan@epa.gov]
Cc: Atencio, Kathie[Atencio.Kathie@epa.gov]; Mylott, Richard[Mylott.Richard@epa.gov]
From: Cobb, David
Sent: Fri 7/25/2014 3:33:15 PM
Subject: RE: Red River Supply fire: questions regarding chemical inventory

Joan,

One clarifying point, Kathie pointed out that we are still looking into the Tier II reporting status since for the current year so we have not confirmed that they submitted a Tier II to the emergency responders nor the emergency planners as required. We are waiting for responders to finish their work and enforcement will do a comprehensive review of the facility under multiple statutes including EPCRA.

Thanks,

David

From: Card, Joan
Sent: Thursday, July 24, 2014 1:55 PM
To: Cobb, David
Cc: Atencio, Kathie; Mylott, Richard
Subject: RE: Red River Supply fire: questions regarding chemical inventory

Thanks David.

From: Cobb, David
Sent: Thursday, July 24, 2014 1:43 PM
To: Card, Joan
Cc: Atencio, Kathie; Mylott, Richard
Subject: RE: Red River Supply fire: questions regarding chemical inventory

That's correct. To be in the TRI database you would need to "process, manufacture, or use" 25,000 (or 10,000 for use) lbs of a TRI listed chemical. We are evaluating if they should have been reporting under TRI (EPCRA 313) but we don't have any evidence at this point to say they should have.

They are required to report under EPCRA 312 (Tier II) requirements. These "Tier II" reports go to the responding agencies and local/state emergency planners in order to ensure the community is prepared to deal with an accident. Any facility that is covered under the OSHA hazardous communication standard (essentially any facility with employees) that has over 10,000lbs of a OSHA hazardous substance or 500 lbs of an EPA extremely hazardous substance would be required to report under EPCRA 312 "Tier II" requirements.

-David

From: Card, Joan
Sent: Thursday, July 24, 2014 1:37 PM
To: Cobb, David
Cc: Atencio, Kathie; Mylott, Richard
Subject: RE: Red River Supply fire: questions regarding chemical inventory

Thank you. I didn't find that the facility was listed in the TRI database. What triggers the requirement to be in the database? Joan

From: Cobb, David
Sent: Thursday, July 24, 2014 1:34 PM
To: Card, Joan
Cc: Atencio, Kathie; Wood, MelanieL; Conklin, Barbara
Subject: Red River Supply fire: questions regarding chemical inventory

Joan,

I spoke with Melanie yesterday who mentioned you were looking for a contact for any potential questions regarding chemical inventory requirements for the facility. Kathie Atencio is the primary contact for chemical inventory (EPCRA Tier II) questions; her number is 303-312-6803. She is out on Friday however I'll be in that day and I can address anything that comes in tomorrow. My number is 303-312-6592.

-David

David Cobb

U.S. EPA Region 8

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http://www.latimes.com/nation/nationnow/la-na-nn-north-dakota-oil-business-fire-20140722-story.html