

SB

69

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)
Date Referred to Committee: March 26, 1996

FURTHER REFERRALS:

Date of Committee Action: 4/16/96 pm

The FINANCE Committee considered:

CSSB 69(RES)

CS FOR SENATE BILL NO. 69(RES)

REPORTING OF HAZARDOUS SUBSTANCE

"An Act relating to hazardous chemicals, hazardous materials, and hazardous waste."

recommends it be replaced
with the following committee substitute

HCS CSSB 69 (FIN)

the same title
 a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____

fiscal note(s) DPS 2/7/96

zero fiscal note(s) _____

2 zero fiscal note(s) SFC 2/7/96

DMVA 2/7/96

| SIGNING WITH RECOMMENDATIONS | | DP | DNP | NR | AM |
|------------------------------|-------------|----|-----|----|----|
| <i>Richard Foster</i> | Foster | X | | | |
| <i>John Mulder</i> | Mulder | X | | | |
| <i>Leann Martin</i> | Martin | X | | | |
| <i>Sean R Pannell</i> | Pannell | X | | | |
| <i>Eric Kohring</i> | Kohring | X | | | |
| <i>Ben Grussendorf</i> | Grussendorf | | | X | |
| <i>Mike Navarre</i> | Navarre | | | | |
| <i>Tim Brown</i> | Brown | X | | | |
| <i>Pete Kelly</i> | Kelly | X | | | |
| <i>Gene Thernvautt</i> | Thernvautt | X | | | |
| <i>Mark Hanley</i> | Hanley | X | | | |

CO CHAIR'S SIGNATURE

Mark Hanley
Hanley

Richard Foster
Foster

FISCAL NOTE

REQUEST:

Revision Date: 2/6/96 Affected Agency: DEC
 Title: Reporting of hazardous substances BRU: Spill Prevent. & Resp.
 Sponsor: Sen. Leman Components: Emergency Response
 Requestor: Senate Finance 494

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

| OPERATING | FY 97 | FY 98 | FY 99 | FY 2000 | FY 2001 | FY 2002 |
|------------------------|------------|------------|------------|------------|------------|------------|
| Personal Services | | | | | | |
| Travel | | | | | | |
| Contractual | | | | | | |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants, Claims | | | | | | |
| Miscellaneous | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

| | | | | | | |
|----------------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|----------------|--|--|--|--|--|--|

| | | | | | | |
|----------------|--|--|--|--|--|--|
| REVENUE | | | | | | |
|----------------|--|--|--|--|--|--|

FUNDING: (THOUSANDS OF DOLLARS)

| | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|
| General Fund | | | | | | |
| Federal Fund | | | | | | |
| Other | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

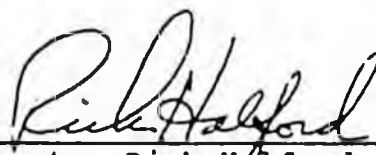
POSITIONS:

| | | | | | | |
|-----------|---|---|---|---|---|---|
| Full-Time | 0 | 0 | 0 | 0 | 0 | 0 |
| Part-Time | 0 | 0 | 0 | 0 | 0 | 0 |
| Temporary | 0 | 0 | 0 | 0 | 0 | 0 |

Estimated FY 96 Impact: 0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

Prepared By:


 Senator Rick Halford, Co-chair
 Senate Finance Committee

Date: 2/6/96

Phone: 465-4958

FISCAL NOTE

No. 5

Bill Version: CS SB 69 (Res)

BIL

(S) Publish Date: 2/7/96

STATE OF ALASKA 1996 LEGISLATIVE SESSION

Revision Date: Original Dept Affected: Military & Veterans Affairs
 Title: An Act relating to hazardous chemicals, BRU: Disaster Planning & Control
hazardous materials, and hazardous waste. Component: Disaster Planning & Control
 Sponsor: Senator Laman
 Requestor: Senate Finance Component Serial No. 1808

| Expenditures/Revenues | | (Thousands of Dollars) | | | | | |
|------------------------|------------|------------------------|------------|------------|------------|------------|--|
| OPERATING EXPENDITURES | FY97 | FY98 | FY99 | FY00 | FY01 | FY02 | |
| PERSONAL SERVICES | | | | | | | |
| TRAVEL | | | | | | | |
| CONTRACTUAL | | | | | | | |
| SUPPLIES | | | | | | | |
| EQUIPMENT | | | | | | | |
| LAND & STRUCTURES | | | | | | | |
| GRANTS, CLAIMS | | | | | | | |
| MISCELLANEOUS | | | | | | | |
| TOTAL OPERATING | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |

| | | | | | | |
|-----------------------------|------------|------------|------------|------------|------------|------------|
| CAPITAL EXPENDITURES | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|-----------------------------|------------|------------|------------|------------|------------|------------|

| | | | | | | |
|-------------------------------|------------|------------|------------|------------|------------|------------|
| CHANGE IN REVENUES () | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
|-------------------------------|------------|------------|------------|------------|------------|------------|

| FUND SOURCE | | (Thousands of Dollars) | | | | | |
|--------------------------|------------|------------------------|------------|------------|------------|------------|--|
| 1002 Federal Receipts | | | | | | | |
| 1003 GF Match | | | | | | | |
| 1004 GF | | | | | | | |
| 1005 GF/Program Receipts | | | | | | | |
| 1006 GF/MHTIA | | | | | | | |
| Other | | | | | | | |
| TOTAL | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |

Estimate of any current year (FY96) cost: \$ none

| POSITIONS | | | | | | | |
|-----------|--|---|---|---|---|---|---|
| FULL-TIME | | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | | 0 | 0 | 0 | 0 | 0 | 0 |

ANALYSIS: (Attach a separate page if necessary)

There is no anticipated fiscal impact associated with implementation of this legislation.

Prepared by: Carol Carroll, Director Phone: 485-4730
 Division: Administrative Services Date: 5-Feb-96
 Approved by Commissioner: *Carol Carroll* Date: 5-Feb-96
 Agency: Military & Veterans Affairs

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

FISCAL NOTE

No. 4

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO: Bill Version: CSSB 69(Res)
 (S) Publish Date: 2/7/96

Revision Date: February 5, 1996 Dept. Affected: Public Safety
 Title: Reporting of Hazardous substances BRU: Fire Prevention
 Component: Fire Prevention Operations
 Sponsor: Senator Leman
 Requestor: Senate Finance COMPONENT SERIAL NO. 0494

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

| OPERATING | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 | FY 02 |
|------------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | -0- | -0- | -0- | -0- | -0- | -0- |

| | | | | | | |
|-----------------------------|-----|-----|-----|-----|-----|-----|
| CAPITAL EXPENDITURES | -0- | -0- | -0- | -0- | -0- | -0- |
|-----------------------------|-----|-----|-----|-----|-----|-----|

| | | | | | | |
|-------------------------------|-------|-------|-------|-------|-------|-------|
| CHANGE IN REVENUES () | (1.0) | (1.0) | (1.0) | (1.0) | (1.0) | (1.0) |
| Revenue Code | | | | | | |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|-----|
| 1002 Federal Receipts | | | | | | |
| 1003 GE Match | | | | | | |
| 1004 GE | | | | | | |
| 1005 GE/Program Receipts | | | | | | |
| 1006 GE/MHTIA | | | | | | |
| Other | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

| | | | | | | |
|------------------|---|---|---|---|---|---|
| FULL-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART-TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | 0 | 0 | 0 | 0 | 0 | 0 |

ANALYSIS: (Attach a separate page if necessary.) Approximately \$1.0 in revenue to the general fund was collected in FY 94 which represents cost recovery for hazardous materials placards provided to industry. In FY 95 \$345.00 was collected. No economic impact on industry is anticipated in as much as the program is simply being transferred to another agency and brought in line with federal law.

Prepared By: Ken Lea Phone: 485-5522
 Division: Fire Prevention Date: 2/5/96
 Approved by Commissioner: Ronald L. Ote Date: 2/5/96
 Agency: Ronald L. Ote, Dept. of Public Safety

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AMENDMENT

TO: CSSB 69(RES)

1 Page 5, after line 4:

2 Insert a new bill section to read:

3 **** Sec. 12.** The Alaska State Emergency Response Commission shall approve an
4 inventory form for use under AS 29.35.500 so that it is available for distribution by the
5 Department of Environmental Conservation under AS 29.35.530 by January 1, 1997."

SECTIONAL ANALYSIS
SB 69: Reporting of Hazardous Substances

Section 1:

Amendment added in House Resources. This amendment adds an immunity to Title 9 protecting the state from strict liability for oil spills or other environmental releases at the REAA schools. Without this change, the state and school districts can each be liable for 100% of damages claimed from environmental problems on school sites, even if they are not at fault in any way or bear only a small portion of the fault. This amendment was added at the request of DEC, DOE, and the Department of Law and approved by the sponsor as part of the state's response to the Toksook Bay lawsuit.

Section 2:

Deletes reference to AS 18.70.310 - the placarding program within the state fire marshal's office.

Section 3:

Deletes reference to AS 18.70.310 - the placarding program within the state fire marshal's office.

Section 4:

Subsection (a) makes the State Emergency Response Commission the agency to approve a form to be used for the reporting of placarding information under a municipal placarding program. This ensures that if the form needs to be changed, this commission can coordinate with all agencies that receive such reports.

Section 5:

Subsection (c) refers to the existing MUNICIPAL placarding program. Currently under state or federal law, either a municipality or the SERC may add substances to those already required to be reported. This section ensures a public process for adding or removing substances required to be reported.

Subsection (c)(1) standardizes the substances and their threshold amounts to be reported under a municipal placarding program, and to fire departments and Local Emergency Planning Committees under Emergency Planning and Community Right-to-Know requirements. The "hazard classes" conform to the new classification system passed by Congress in 1993 recognizing the UN Identification system that enables the same classification to be used for national and international shipments of hazardous materials.

Subsection (c)(2) deletes from the municipal placarding program the requirement that businesses report consumer commodities of hazardous materials. These businesses are readily identified by fire departments in Alaska as handling large quantities of consumer commodities. Deleted also is requirement to report compressed gases, which exceeds federal reporting requirements.

Section 6:

Deletes reference to the state fire marshal's placarding program under AS 18.70.310.

Section 7:

Deletes reference to the Municipality having to obtain placards from the state fire marshal's office. Retains ability for the Municipality to charge fees to compensate for the costs of a Municipal placarding program.

Section 8:

Makes the Department of Environmental Conservation the one-stop agency to provide lists of reportable substances under the Municipal placarding, and the federal/state Emergency Planning and Community Right-to-Know laws. DEC would also provide the single form approved by the SERC for these reporting purposes.

Section 9:

Subsection (6) makes the Municipal placarding definition of hazardous chemical the same as the definition of hazardous chemical under the Emergency Planning and Community Right-to-Know Act, with the same exceptions as under federal law.

Section 10:

Subsection (7) allows the State Emergency Response Commission to add hazardous substances to the Emergency Planning reporting requirements. Removes the exceptions which are not mentioned in federal law, but which are probably covered by the reference in federal law to "substances capable of posing an unreasonable risk".

Section 11:

Subsection (8) adds in the DEC definition of hazardous waste and allows the SERC to define additional hazardous wastes to be reported under Emergency Planning and Community Right-to-Know requirements. This is to ensure continuity in definitions and reporting thresholds.

Section 12:

Applies strict statutory liability and liability for damages to the amendment in Section 1.

Section 13:

Deletes the fire marshal's placarding program (AS 18.70.310).

Deletes responsibilities of the fire marshal under the Municipal placarding program (AS 29.35.530(b)).

Deletes definition of consumer commodity from definitions section of Municipal placarding program (AS 29.35.590(2)).

Section 14:

The amendment in Section 1 applies only to future claims, not past claims.

Sections 1 and 14 of

CS SB 69 (RES) - Relating to hazardous chemicals, hazardous materials, and hazardous waste.

Overview:

Section 1 adds an immunity to Title 9 protecting the state and Rural Education Attendance Areas (REAA) from strict liability for oil spills or other environmental releases at the REAA schools. Without this change, the state and school districts can each be liable for 100% of damages claimed from environmental problems on the school sites, even if they are not at fault in any way or bear only a small portion of the fault. Section 14 is transitional language.

Narrow scope:

- Limited to special circumstance where state inherited problems from BIA and, unlike a private business, has no choice but to continue operating the facilities pending fix-up over a period of years.
- Only applies to REAA schools and Mt. Edgecumbe, another school passed from BIA to the state.
- Only applies to liability for damages. State and REAAs will remain strictly and jointly liable for cleanup, even if they are not at fault.
- Only applies to strict statutory liability. Common law liability for negligence and nuisance will be unaffected, so that the state and REAAs may still be liable for damages if they are at fault, up to the percentage of their fault.

Background:

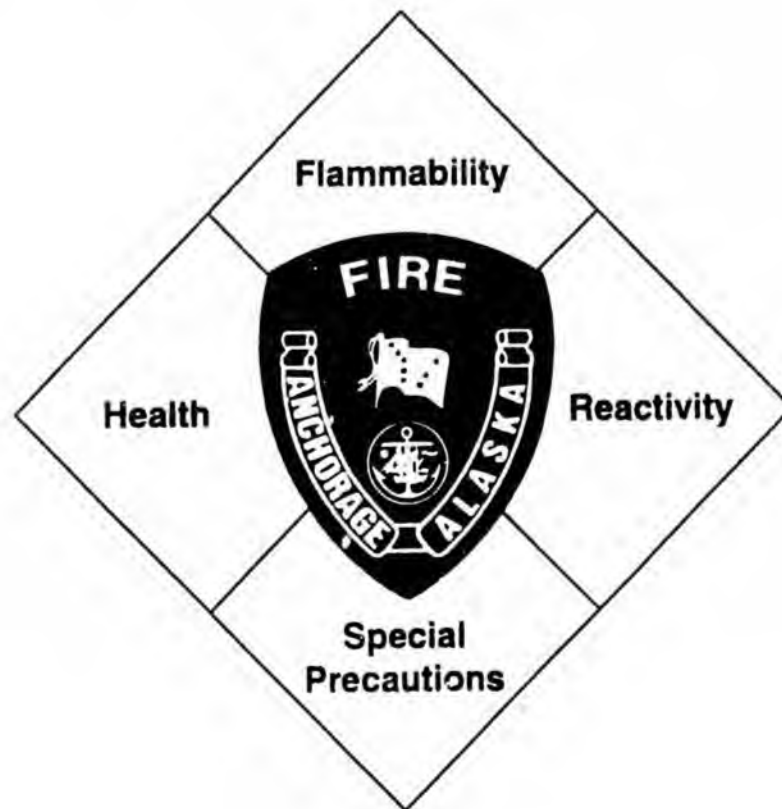
The statutory change included in Section 1 is part of the administration's response to the state's exposure to major liability as revealed in the Toksook Bay lawsuit. Other responses include promulgation of regulations clarifying state and REAA roles to allow for a cooperative approach to school maintenance and to controlling liability and an upcoming meeting of state land managers to provide training on avoiding environmental liability.

The Toksook Bay lawsuit was brought by 500 plaintiffs in the wake of a fuel spill at an REAA school in 1990. The state had received the school from the BIA the previous year, subject to an "as is" clause. The spill occurred when a corroding pipe that the BIA had placed in a sealed, inaccessible area finally gave way. In addition to cleanup work by the state and the school district, the settlement of the litigation includes a consent judgment of \$1.285 million against the state and cash payments totaling \$2.26 million that will be paid by the REAA from its own resources.

only one form!



Community Right-to-Know Program (CRTK)



**Municipality of Anchorage
ANCHORAGE FIRE DEPARTMENT**

Municipality of Anchorage



FIRE DEPARTMENT

1301 E. 80th Avenue
ANCHORAGE, ALASKA 99518-3399
TELEPHONE: (907) 267-4924

Community Right-to-Know Program Anchorage Municipal Code Title 16.110

This is your Community-Right-to-Know Program package for the current year. Federal, State and Municipal laws require this form to be filed by businesses each year. The Tier Two Hazardous Materials Inventory form along with complete directions is included in this packet. The filing deadline is March 1 of each year.

A program overview and detailed instructions are included to take you step-by-step through each section of the form. Please read through the instructions before filling out the form and call us if you have questions on exactly what information is required.

Our CRTK Inspector, Les Baird, retired in August. At this time, an Inspector is not specifically assigned to the program due to staff shortages. However, as CRTK Administrator, I will be available to answer any questions you might have about what is reportable, inspection procedures, placards or filling out forms. Fire Inspectors from the Prevention Division are available for more technical questions.

Filing Tier Two forms with the Anchorage Fire Department meets LEPC reporting requirements. You are also required to mail a copy of your Tier Two forms to the State Emergency Response Commission office. The address is: Camille Stevens, ADEC, 410 Willoughby Street, Suite 105, Juneau, Alaska 99801-1795.

For those already in the program, we want to thank you for your cooperation during the past year. We look forward to working with you again in the coming year. If you are new to CRTK, you may want to talk to me before starting your Tier Two form. You can reach me in the Fire Prevention office at 267-4924. You are always welcome to visit our office at 1301 East 80th Avenue to review forms, ask questions or just chat about the program in general. It is best to call for an appointment to be sure that I'll be in the office.

On behalf of the Fire Department, I would like to thank you for your co-operation with the CRTK program. With your information available to first responders, Anchorage is a safer place for all us to live.

Sincerely,

Rita A. Venta, Administrator
CRTK Program

Robert Taylor
Fire Marshal

**MUNICIPALITY OF ANCHORAGE
COMMUNITY RIGHT-TO-KNOW ORDINANCE
TITLE 16**

**TIER TWO HAZARDOUS MATERIALS INVENTORY FORM
GENERAL INFORMATION AND INSTRUCTIONS**

**ALL INFORMATION REQUESTED ON THIS FORM MUST BE PROVIDED TO FULFILL
FEDERAL REPORTING REQUIREMENTS**

Please read instructions carefully. Print or type all responses. Photocopy extra copies of the form if necessary

Submission of this Tier Two form is required by Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), Section 312, Public Law 99-499 and the Anchorage Community Right-to-Know Ordinance (Title 16) pertaining to Hazardous Materials and Hazardous Chemicals. The purpose of this Tier Two form is to provide specific information on the types and locations of hazardous materials and hazardous chemicals used or stored at your facility to State and Local officials and the general public.

**YOU MUST PROVIDE ALL INFORMATION REQUESTED ON THIS FORM TO FULFILL TIER
TWO REPORTING REQUIREMENTS.**

Who must submit this form: Section 312 of SARA Title III requires that the owner or operator of a facility submit this Tier Two form if so requested by a State Emergency Planning Commission (SERC), a Local Emergency Planning Committee (LEPC), or a Fire Department with jurisdiction over the facility. This request may apply to the owner or operator of any facility that is required under regulations implementing the Occupational Safety and Health Act of 1970 to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous material or hazardous chemical present at the facility. MSDS requirements are specified in the Occupational Safety and Health Administration (OSHA) Hazard Communications Standard found in Title 29 of the Code of Federal Regulations Section 1910.1200. Anchorage Municipal Code, Title 16.110 requires a person who handles hazardous materials or hazardous chemicals to submit a report to the Anchorage Fire Department on a Tier Two Inventory form including a site layout and floor plan of each facility showing the location of each hazardous material and hazardous chemical. This requirement applies to a facility that handles hazardous materials or hazardous chemicals in reportable amounts.

What chemicals must be reported and what are reportable amounts. You must report the information required on this form for each hazardous chemical and hazardous material for which Federal or Local reporting requirements are met. The reporting requirements apply if any of the following quantities are handled at a facility, other than a transshipment facility, on any one day during the calendar year.

• **ANY quantity of a hazardous material of the following Hazard Classes:**

Class 1, Explosives

Class 6, Poison

Class 2.3, Poison Gas

Class 7, Radioactive

Class 4, Flammable Solid

(dangerous when wet)

- A **Hazardous Material or Hazardous Chemical** in amounts of **500 pounds or more** (*see definition below).
- An **Extremely Hazardous Substance (EHS)** in amounts equal to or greater than **500 pounds or the Threshold Planning Quantity (TPO), whichever is less** (*see definition below).
- **Compressed Gases** in amounts of 200 Cu. ft. or more.

DEFINITIONS

- **Hazardous Material** means a material as defined in 49 Code of Federal Regulations (49 CFR), Subchapter C.
- **Hazardous Chemical** means a hazardous chemical as defined in 29 Code of Federal Regulations (29 CFR).
- **Extremely Hazardous Substance (EHS)** means a substance listed in the Appendices to 40 Code of Federal Regulations (40 CFR), Part 355
- **Hazardous Waste** in amounts equal to or greater than **220 pounds**.
- **Extremely Hazardous Waste** in amounts equal to or greater than **2.2 pounds**.
- **Consumer Commodity** of a hazardous material equal to or greater than **1000 pounds**.

When to submit this form: A person must submit the Tier Two form by March 1 each year for every facility in operation on January 1 and no later than March 1 of each year thereafter. A person not subject to reporting requirements on January 1 who subsequently becomes subject to the Anchorage Municipal Code, Title 16, shall submit the information required within thirty (30) days after commencement of such handling and shall update the information by March 1 of each year thereafter. Those currently in the program will be notified by the Anchorage Fire Department each year with current filing information.

When to Update Tier Two Information:

A person required to make a report for a facility shall report each change to the most recently submitted site layout or floor plan showing the change in storage location for a hazardous chemical or hazardous material to the Anchorage Fire Department by telephone within 24 hours, (907) 267-4924; and follow that with a written confirmation within 30 days after each change takes place. **Anchorage Fire Department, CRTK Program, 1301 East 80th Avenue,**

INSTRUCTIONS FOR COMPLETING
TIER TWO HAZARDOUS MATERIAL INVENTORY FORM

PLEASE READ INSTRUCTIONS CAREFULLY. PRINT OR TYPE ALL INFORMATION. PHOTOCOPIES MAY BE MADE OF THE FORM IF ADDITIONAL PAGES ARE NEEDED

- A. **FACILITY NAME:** Enter the full name of your facility. Enter the full street address or state road. If a street address is not available, enter other appropriate identifiers that describe the physical location of your facility. Include city, state, zip code and telephone number of the facility during normal business hours. Enter the primary Standard Industrial Classification (SIC) code and Dun & Bradstreet number for your facility if available.
- B. **OWNER/OPERATOR:** Enter the owner's or operator's full name, mailing address and telephone number.
- C. **EMERGENCY CONTACTS:** Enter the name, title and work telephone number of at least one and preferably two local contacts or offices who can act as a referral if emergency responders need assistance responding to a chemical accident at the facility. Provide an emergency telephone number where such emergency chemical information will be available 24 hours a day, every day.
- D. **CHEMICAL INVENTORY INFORMATION:** - description, hazards, amounts and locations. The main section of the Tier Two form requires specific information on amounts and locations of hazardous materials and hazardous chemicals, as defined in the OSHA Hazard Communication Standard and U.S. Department of Transportation 49CFR.

What units should I use? Calculate all amounts as **weight in pounds**. To convert gas or liquid volume to weight in pounds, multiply by the appropriate density factor. If you submit information in gallons or cubic feet, we will convert it to pounds before entering it in the computer.

CHEMICAL DESCRIPTION: Enter the hazardous material name or common name of each material (Types; toxics, poisons, acids, oxidizers, flammable liquids, gases, etc.). Please list all hazardous material types. If you are not sure, list the material and we will determine if it is hazardous. Enter the Chemical Abstract Service (CAS) number(s) if this information is available. Material Safety Data Sheets (MSDS) must be provided for first time submittals and any new products that are reported. If you have previously submitted Tier Two forms, we will accept an MSDS list for items you already reported.

- E. **PHYSICAL AND HEALTH HAZARDS:** For each chemical you have listed, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 Code of Federal Regulations (CFR) 370.3. The two health hazard categories and three physical hazard categories are a consolidation of the 23 hazard categories defined in the OSHA Hazard Communication Standard, 29 Code of Federal Regulations (CFR) 1919.1200.

Hazard Category - means any of the following: **Fire hazard:** including flammable, combustible, liquid, phpyrophoric, and oxidizer. **Sudden release of pressure:** including explosive and compressed gas. **Reactivity:** includes unstable reactive, organic peroxide, and water reactive. **Immediate (acute) health hazard:** including highly toxic, toxic, irritant, sensitizer, corrosive, and other hazardous chemicals that cause an adverse effect to a target organ and which effect is of short duration. **Delayed (chronic) health hazard:** including carcinogens and other hazardous chemicals that cause an adverse effect to a target organ and which effect generally occurs as a result of long term exposure and is of long duration.

- F. **INVENTORY:** Estimate the maximum amount of each hazardous material present at your facility on any single day during the reporting period. The maximum amount shall be listed in **gallons or pounds** but you will be billed by the total pounds reported. Enter the number of days each year the product is present at your facility. *Example: If 15% of a 5 gallon container is hazardous material, report the quantity as 5 gallons.
- G. **STORAGE INFORMATION:** Provide storage information for each hazardous material you are reporting using the **STORAGE CODES** found on page 5. Insert the correct codes for Type of Storage Vessel, Pressure Conditions and Temperature conditions.
- H. **CERTIFICATION:** Please be sure the front page of the form is signed and dated certifying that the information submitted is correct.
- I. **ATTACHMENTS:** Provide a detailed floor plan of your facility and show specific locations of the reported hazardous materials. Note: floor plans need not be drawn to scale. Include Material Safety Data Sheets (MSDS) or an MSDS list as required.
- J. **NFPA 704M PLACARD REQUIREMENTS:** If Placards are required at your facility, you will receive a letter from us. We will review your Tier Two form and advise what specific Placards must be posted on the exterior of the building. Placard specifications and a drawing of the placard (s) will be included.
- K. **REPORTING FEES:** Annual reporting fees are based on the maximum amount of hazardous material at the facility on any one day during the calendar year. We will calculate the fee based on what you report on the Tier Two form. You will be billed for the fee directly by the Municipal Treasury department and payment should be sent directly to that office.

| <u>REPORTABLE QUANTITIES/POUNDS</u> | | <u>ANNUAL FEE/PER FACILITY</u> |
|-------------------------------------|-----------|--------------------------------|
| 0 | 4,999 | \$50.00 |
| 5,000 | 14,999 | \$125.00 |
| 15,000 | 74,999 | \$175.00 |
| 75,000 | 299,999 | \$250.00 |
| 300,000 | 649,000 | \$750.00 |
| 650,000 | 999,999 | \$1500.00 |
| 1,000,000 | 3,000,000 | \$3,000.00 |
| Greater Than | 3,000,000 | \$4,000.00 |

WHERE TO SUBMIT: Hand deliver or mail the Tier Two form with attachments to: Anchorage Fire Department, CRTK Program, 1301 E. 80th Avenue, Anchorage Alaska 99518-3399.

If you have any questions at any time on the CRTK program, please call Rita Venta at 267-4924.

STORAGE CODES

CODES

TYPE OF STORAGE VESSEL

| | |
|---|--------------------------|
| A | Above Ground Tank |
| B | Below Ground Tank |
| C | Tank Inside Building |
| D | Steel Drum |
| E | Plastic drum (non-metal) |
| F | Can |
| G | Carboy |
| H | Silo |
| I | Fiber Drum |
| J | Bag |
| K | Box |
| L | Cylinder |
| M | Glass Bottle or Jug |
| N | Plastic Bottle or Jug |
| O | Tote Bin |
| P | Tank Wagon |
| Q | Rail Car |
| R | Other (please specify) |

PRESSURE

CODES

PRESSURE CONDITIONS

| | |
|---|-------------------------------|
| 1 | Ambient Pressure |
| 2 | Greater than Ambient Pressure |
| 3 | Less than Ambient Pressure |

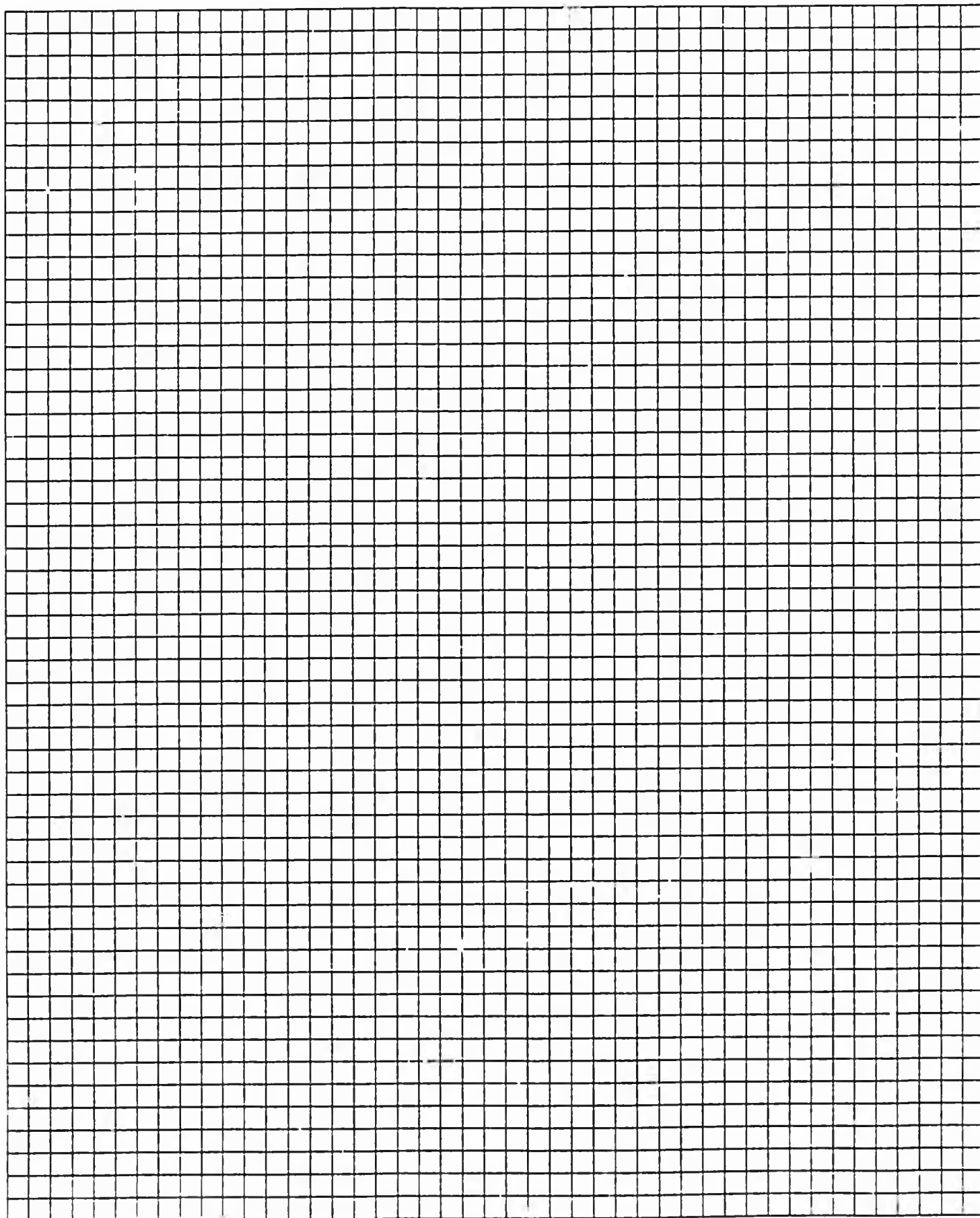
TEMPERATURE

CODES

TEMPERATURE CONDITIONS

| | |
|---|--|
| 4 | Ambient Temperature |
| 5 | Greater than Ambient Temperature |
| 6 | Less than Ambient Temperature but not Cryogenic |
| 7 | Cryogenic conditions |

Floor Plan





Municipality of Anchorage
ANCHORAGE FIRE DEPARTMENT
Community Right-to-Know Program
1301 East 80th Avenue
Anchorage, Alaska 99518

Bulk Rate
U.S. Postage
PAID
Anchorage, AK
Permit No. 202

Date of Committee Action: 3/25/96

The RESOURCES Committee considered:

CSSB 69(RES)

CS FOR SENATE BILL NO. 69(RES)

REPORTING OF HAZARDOUS SUBSTANCE

"An Act relating to hazardous chemicals, hazardous materials, and hazardous waste."

recommends it be replaced with the following committee substitute HCS CSSB 69 (RES) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ ^{Senate} fiscal note(s) DPS 2-7-96

zero fiscal note(s) _____ (a) ^{Senate} zero fiscal note(s) SFIN/DEC 2-7-96
MVA 2-7-96

| SIGNING WITH RECOMMENDATIONS | DP | DNP | NR | AM |
|------------------------------|-----|-----|-----|----|
| <i>[Signature]</i> Nicholia | | | X | |
| <i>[Signature]</i> Long | | | X | |
| <i>[Signature]</i> Williams | X | | | |
| <i>[Signature]</i> Ogan | X | | | |
| <i>[Signature]</i> Barnes | X | | | |
| <i>[Signature]</i> Gusterman | | | X | |
| <i>[Signature]</i> Kott | X | | | |
| <i>[Signature]</i> Green | X | | | |
| | (5) | | (3) | |

30-CHAIR'S SIGNATURE *[Signature]*
Green



SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave, Suite 520, Anchorage, AK 99501 (907) 258-8189 Session: State Capitol, Juneau, AK 99801 (907) 465-2095

SPONSOR STATEMENT SB 69

"An Act relating to hazardous chemicals, hazardous materials, and hazardous waste."

As we downsize government, and make it more user friendly, we have to assess the efficacy of current statutes and regulations.

Many times, I believe, state and federal governments ask businesses to report information without a lot of thought as to how that information will be used when it is received. That is the case with the "Placarding Statute" under AS 18.70.310.

We need to ask ourselves what is nice to know and what is need to know? We need to stop asking business to provide "nice (for us) to know" information and concentrate on what it is the state needs to know.

Currently, businesses in Alaska must report virtually the same information about hazardous chemicals, materials and wastes, in four different formats to four different entities. This bill eliminates three formats and one entity.

The bill was crafted with input from industry, fire departments, and the departments of Environmental Conservation and Public Safety, Division of Fire Prevention.

The information to be reported is streamlined to one form which satisfies federal, state and local reporting requirements.

CR+K

Right to Know

FACT SHEET FOR SB 69
Hazardous Substances Reporting

Eliminates reporting provisions that are stricter than federal law.

Businesses are now required to report under:

- Title 29 Local Municipal placarding reporting requirements (currently only Municipality of Anchorage)
- State Fire Marshal placarding reporting requirements (Title 18)
- Emergency Planning and Community Right to Know reporting requirements (EPCRA)
- OSHA Hazard Communications Standard (MSDS sheets)
- Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)

What SB 69 does:

a) deletes the fire marshal's ineffective placarding program (Division of Fire Prevention supports; division doesn't have the personnel to do this program.) Deleting the program deletes the requirement for business to report to State Fire Marshal.

b) modifies substances and amounts currently required to be reported to municipalities to be the same as those required under EPCRA and CERCLA. Leaves door open to municipalities with their own placarding program to add substances to be reported if the municipality feels it is a public safety issue. This is done through a public process. Also the State Emergency Response Commission may add substances, but only after notifying facilities (this is current federal law).

c) creates one form sent out by DEC to cover:

- 1) Municipal placarding reporting requirements
- 2) EPCRA/CERCLA reporting requirements to:
 - local fire departments
 - local emergency planning committees (LEPCs)
 - DEC for the SERC

NOTE: DEC currently sends out Tier II form for the EPCRA/CERCLA reporting.

d) Businesses could do electronic filing with this one form. Those needing the information, usually fire departments and LEPCs, (all of this info is public whether on paper format or electronic) could download the info into their computers. Most fire departments and LEPCs received from the state computers and plume modeling software several years ago.