



UPDATE

Making You Aware of Incentives and Compliance Assistance Opportunities

Right to Know Program Adds New Hazard Codes

Who is affected by this advisory?

Facilities in New Jersey subject to the Community Right to Know (CRTK) program or Section 312 of the Emergency Planning and Community Right to Know Act (EPCRA) will be required to report based on updated hazard codes on the Community Right to Know Survey for 2017. Facilities may be subject to this program if they fall into certain industrial classifications or if they store certain hazardous materials above defined thresholds.

Why is DEP issuing this advisory?

On March 26, 2012, the Occupational Safety and Health Administration (OSHA) published a final rule to revise the Hazard Communications Standard (HCS) due to its adoption of the Globalized System (GHS) classification and labeling of chemicals. GHS is a standardized approach for classifying chemicals by their health, physical and environmental effects, and this information is communicated to downstream users by consistently using signal words, pictograms, hazard statements, etc., on labels and SDSs (Safety Data Sheets). In June 2016, USEPA finalized a rule revising the hazard categories in the regulations at 40 part 370 for reporting under Section 312 of EPCRA. NJDEP is adopting the revised hazardous chemical guidance for the state Community Right to Know Survey.

What should I do?

Begin to track the hazards associated with the substances using the updated information on your Safety Data Sheets so that your facility personnel will be prepared to accurately fill out the required reports in the upcoming year. Facilities in New Jersey will be required to report the new hazard codes for reporting year 2017. These reports will be due on March 1, 2018.

The revised hazard classification system adopted by USEPA is shown below:

Physical and Health Hazards (to be effective January 1, 2018)

Table with 2 columns: Physical Hazard, Health Hazard. Rows include: Flammable (gases, aerosols, liquids, or solids) - Carcinogenicity; Gas under pressure - Acute toxicity- any route of exposure; Explosive - Reproductive toxicity; Self-heating - Skin Corrosion or Irritation.

COMPLIANCE ADVISORY

Physical Hazard	Health Hazard
Pyrophoric (liquid or solid)	Respiratory or Skin Sensitization
Pyrophoric Gas	Serious eye damage or eye irritation
Oxidizer (liquid, solid or gas)	Specific target organ toxicity (single or repeated exposure)
Organic peroxide	Aspiration Hazard
Self-reactive	Germ cell mutagenicity
In contact with water emits flammable as	Simple Asphyxiate
Combustible Dust	Hazard Not Otherwise Classified HNOC
Hazard Not Otherwise Classified HNOC	
Corrosive to metal	

These new hazard categories will be incorporated in the electronic system to submit the Community Right to Know Survey.

Who should I contact with questions?

For Questions on CRTK reporting please contact NJDEP via email at RTK@dep.nj.gov.

Where can I get more information?

The following websites can be accessed for additional information regarding this advisory:

- Community Right to Know: <http://www.nj.gov/dep/enforcement/crtk.html>
- The Small Business Environmental Assistance Program: <http://www.nj.gov/dep/aqes/sbap/index.html>
- For general NJDEP information: <http://www.nj.gov/cgi-bin/dep/contactdep.pl>
- For the links to the Federal Register notices and the factsheet: <https://www.gpo.gov/fdsys/pkg/FR-2016-06-13/pdf/2016-13582.pdf>
<https://www.gpo.gov/fdsys/pkg/FR-2016-07-21/pdf/2016-17277.pdf>
https://www.epa.gov/sites/production/files/2016-06/documents/haz_cats_tech_amend_factsheet_final_06-16-2016.pdf
- For more information on the federal EPCRA program: <https://www.epa.gov/epcra>
- To comment on this advisory: <http://www.nj.gov/dep/enforcement/survey.html>

This advisory is intended to be a summary explanation. It does not include all potentially applicable requirements. If you have any questions related to compliance with this initiative, please contact the Enforcement numbers listed above.