

## Q & A from January 13, 2016 CRTK Webinar

**Q-** Could you go over the ammonia change as well?

**A-** For aqueous ammonia, only concentrations of 20 % or greater are reportable.

**Q-** Please post the phone numbers again, for a little longer so we can write down the numbers

**A-** 609-777-0518 and 609-292-6714

**Q-** We have very few EHS. However as a matter of course every one generates an SDS for the chemical, even though the hazard risk is slight. For purposes of the federal 10,000 lbs. reporting requirement, how can I differentiate between those chemicals to be reported and those that do not?

**A-** The general rule for these chemicals is to report the material if any hazard is indicated on the SDS or if the company is aware of a danger

**Q-** How would one classify a substance if under GHS it is not a OSHA hazard, yet it is classified as a combustible dust. The CASRN is not on the list, but it is stored/processed at greater than 10,000 lbs.?

**A-** The material should be reported a fire hazard.

**Q-** Is Transformer Oil exempt from reporting?

**A-** Transformer oil is exempt from reporting on the Community Right to Know Survey.

**Q-** Will copies of the slides be sent to attendees?

**A-** Copies of the slides are available at <http://www.nj.gov/dep/opppc/>

**Q-** If a chemical is regulated by FDA is the chemical reported?

**A-** For facilities covered under the New Jersey Worker and Community Right to Know program, there is no FDA exemption. If the facility is covered under the federal program only (EPCRA), they may use the FDA exemption for reporting purposes.

**Q-** What is the definition of petroleum oil? What oils does that include? Synthetics, etc?

**A-** This term includes the standard lubricating oils commonly used for automobiles. It does not include synthetics

**Q-** Is hydraulic oil reportable? My SDS for Chevron AW46 says it does require reporting for NJ.

**A-** Yes, if this material was at the facility during the reporting year at a quantity of 10,000 pounds or more and if the SDS contains information indicating it is reportable

**Q-** We have two separate buildings. Should we submit one report or two?

**A-** Buildings must be reported on separate surveys if they are separated by a public street.

**Q-** Are government agency obligated to pay the fee?

**A-** Government employers are exempt from the fees under the Worker and Community Right to Know Act.

**Q-** Our industry is classified as being covered by the standard, but our location is strictly an office location. Are we required to report?

**A-** You may apply for an exemption as an administrative office by submitting the Community Right to Know Reporting Exemption Form at [www.nj.gov/dep/opppc](http://www.nj.gov/dep/opppc)

**Q-** If a chemical is required to be reported by federal EPCRA program, is it still required to be reported in the NJ report?

**A-** Any chemical that is reportable under Section 312 of EPCRA must be listed on the Community Right to Know Survey

**Q-** When the survey is submitted when will we know what the fee will be?

**A-** The fees are not based on the CRTK Survey. They are based on the facility's number of employees. They will be issued later this year, by the Department of Labor.

**Q-** What is a County Lead Agency?

**A-** Each New Jersey County has a Right to Know County Lead Agency which receives copies of Surveys in their county. The Lead Agency then makes this information available to individuals if they are interested in a particular facility.

**Q-** What type of batteries do we have to report and after which amount?

**A-** All batteries containing lead or sulfuric acid must be reported if the lead or sulfuric acid is equal or above 500 pounds, if the facility is covered by NJ Worker and Community Right to Know Act. If the facility is only covered by the federal program (EPCRA) the reportable quantity for sulfuric acid is still 500 pounds, but for lead the threshold increases to 10,000 pounds

**Q-** Will NJ eventually move to electronic delivery for the local agencies?

**A-** This is something we have been trying to do for years. We agree, that would be the environmentally friendly option.

**Q-** Are NJDEP Online accounts interconnected? Meaning if more than one individual at a site has access will any changes or reports submitted by one reflect on others accounts?

**A-** Yes, if your co-worker submitted the survey the system will reflect that when you login. Also you will be able to see any changes that were done when by someone else as long as they saved the work. If you would like a more detailed response please feel free to contact us at 609-292-6714.

**Q-** If someone else in my company has reported before and it is my first time, will the program be able to tie our accounts together by Company name?

**A-** Even though this is your first time using the on-line portal, the system is designed to pull whatever information we have in our database for your facility when you access the survey.

**Q-** How come the slide denotes MSDS and not SDS?

**A-** Thank you for pointing out that the slides need to be updated. We will make the changes for the next presentation.

**Q-** What is the guidance for reporting isomers? The chemical name (description) is a listed EHS but the CAS# for our chemical is different.

**A-** If the CAS# is different you would not need to report the chemical unless it was at 10,000 pounds or more in the previous year.

**Q-** What happens if you don't send it to your local departments?

**A-** You are subject to a \$500 fine per agency

**Q-** Are food grade oil or vegetable oil used in hydraulic elevators required to be reported?

**A-** No

**Q-** Is nitrogen, in liquid format, required to be reported?

**A-** It is reportable under EPCRA if it was present at the facility during the reporting year in quantities of 10,000 pounds or more.

**Q-** Do we need to send the paper copies to the local agencies by a method that provides proof of delivery or is a regular USPS letter ok?

**A-** Proof of delivery is not required

**Q-** What is included in the petroleum oil category?

**A-** Lubricating oil and oils at similar grades

**Q-** When I fill out the Community Right To Know Facility Identification Number Request Form, how and when do I get the number? If it is by email, and we did not receive the email, how can we retrieve the number?

**A-** You will receive an email from our office, which will contain the 11-digit ID number. If you don't receive the email after three days, please call our office at 609-292-6714.

**Q-** If a building or facility was demolished last year what is the process for removing it from the survey so it will not show up next year or required to be reported in future years?

**A-** It simply does not need to be reported in subsequent years, if just a building is demolished. If the facility is demolished, so that there are no hazardous substances to be reported, please notify us.

**Q-** Is standard hydraulic oil used in hydraulic elevators required to be reported?

**A-** Yes, if this material was present at the facility during the reporting year at a quantity of 10,000 pounds or more and the SDS contains information indicating it is hazardous or reportable

**Q-** If a building was sold in 2015 that was subject to reporting in the past and the new owner will now be reporting, does the previous owner still need to report for 2015? If yes won't this be reported twice? If yes and it needs to be reported electronically does it still need to be communicated to applicable local authorities if you are no longer responsible for the location?

**A-** The most recent owner is responsible to complete the Survey. The previous owner should make sure they have notified us that they are no longer the current owner.

**Q-** Should the NAICS code be the code of the parent company or specific to the facility reporting in the survey?

**A-** NAICS codes can be specific to a particular site

**Q-** If the NAICS code is incorrect in the system how can that be corrected/changed?

**A-** Please contact our office at (609) 292-6714 or (609) 777-0518 to discuss your particular case and we will work on having the code changed if needed.