

RELEASE AND POLLUTION PREVENTION REPORT

APPENDIX F QUESTIONS AND ANSWERS

Reporting Thresholds

- Q: What are the activity (i.e. "manufacture," "process," or "otherwise use") thresholds applicable to the RPPR for the New Jersey reporting requirements?
- A: Pursuant to the New Jersey Pollution Prevention Act (N.J.S.A. 13:1D-35 et seq.), and regulations adopted pursuant to the Worker and Community Right to Know Act at N.J.A.C. 7:1G-1 et seq., all "employers" subject to the reporting requirements of Section 313 of the federal Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 [SARA]) are required to submit a complete Section B form of the RPPR for all substances found in Appendices B and C that were manufactured, processed, or otherwise used in excess of 10,000 pounds or the lower PBT threshold in calendar year 2004. Additionally, Sections C and D, or alternately the P2-115, as appropriate, are to be submitted (refer to reporting instructions for more information on these pollution prevention progress reporting sections).

De Minimis Concentrations

- Q: Does the department consider de minimis concentrations on the RPPR?
- A: Yes, the same de minimis concentrations that apply to reporting under TRI apply to the RPPR. The de minimis exemption allows facilities to disregard certain minimal concentrations of toxic and hazardous substances in mixtures or other trade name products they process or otherwise use when making threshold determinations and throughput, release and other waste management calculations. Therefore, concentrations of a listed reportable substance in a mixture below that listed in Appendices B and C need not be included in threshold determinations, and in throughput, release, and other waste management calculations.

All substances and chemical categories are subject to the 1.0 percent de minimis concentrations unless the substance or chemical category involved meets the definition of an OSHA carcinogen (see Appendices B and C for de minimis concentrations). OSHA carcinogens are subject to the 0.1 percent de minimis concentration. De minimis concentrations do not apply to the PBT chemicals. This means that facilities are required to include all amounts of PBTs in threshold determinations and throughput, release and other waste management calculations regardless of the concentration of the PBT in mixtures or trade name products.

USEPA Alternate Threshold and Comparable RPPR Exclusions

- Q: How does the Alternate Threshold reporting requirements, implemented by USEPA under Section 313 of EPCRA, apply to the reporting of substances on the RPPR? In other words, if a facility meets the Alternate Threshold reporting criteria and can, therefore, submit the USEPA Alternate Threshold Form A in lieu of a full Form R, does the facility have to report the substance on the RPPR?
- A: A facility that meets the Section 313 reporting thresholds, but estimates that the total annual reportable amount - also know as total production-related waste (Form R, Section 8.1 through 8.7, Column B) - of the substance does not exceed 500 pounds per year, is eligible to apply an

alternate manufacture, process, or otherwise use threshold of one million pounds per year to that substance under the federal Toxic Chemical Release Inventory. New Jersey's applicable laws and regulations have no counterpart to accommodate the low release threshold on the RPPR.

In previous years it had been the policy of the Department to exempt Form-A-only facilities from the reporting requirements of the RPPR. However, analyses of RPPR data in recent years have shown that facilities with less than 500 pounds of total production-related waste may still be using large quantities of toxic and hazardous substances that are being shipped as (or in) products and, therefore, may have opportunities to implement pollution prevention activities. Consequently, the Department has decided to rescind the policy of exempting Form-A-only facilities from the reporting requirements of the RPPR. Therefore, a TRI covered facility, that is a facility that submits one, or more, Form R or Form A to the USEPA for 2004, must complete a RPPR, Section A and then a Section B for each substance listed in Appendices B and C that is manufactured, processed or otherwise used in excess of 10,000 pounds or the lower PBT threshold in 2004. Further, P2 planning is expected to apply to facilities that meet certain reporting criteria.

For further information on the USEPA alternate threshold and Form A certification statement, contact the EPCRA Reporting Center Hotline staff at 1(800) 424-9346 or refer to the hotline website at <http://www.epa.gov/epaoswer/hotline/epcra.htm>.

Ammonia Reporting and Materials Accounting

Q: Beginning with reporting year 1994, USEPA 1) modified the ammonia reporting requirements, and 2) deleted ammonium sulfate (solution) and ammonium nitrate (solution) from the list of reportable chemicals because these and other aqueous ammonium salts are addressed under the ammonia listing. Does the materials accounting process expect throughput calculations to achieve a balance between the "Inputs" and the "Outputs"?

A: Following promulgation of this federal rule, the DEP came to the realization that this rule and its accompanying modifications of the ammonia listing had serious implications with respect to materials accounting. For those facilities that manufacture, process and/or otherwise use both anhydrous *and* aqueous forms of ammonia and, therefore, must report chemical throughput, environmental releases, on-site management and/or off-site transfers of ammonia, it is very likely that a balance in the materials accounting process will not be achieved based upon the reporting of 100% of anhydrous ammonia and 10% of total aqueous ammonia. If you have any questions about this matter or need assistance, please call the Office of Pollution Prevention and Right To Know at (609) 777-0518.

Quantity Recycled On Site

Q: Are quantities of a reportable substance that are recycled on site subject to reporting on the RPPR?

A: Yes, the quantity of a substance that was recycled out-of-process on-site at the facility during the reporting year is subject to reporting under Section B, question #12. DO NOT include in question #12 any recycling that occurs in-process or any quantities of the substance that were sent off site for recycling, energy recovery, treatment or disposal! Quantities shipped off site for recycling, energy recovery, treatment or disposal should be reported under question #21.

Quantity Shipped Off Site for Recycling

Q: Are quantities of a reportable substance that are shipped off site for recycling or energy recovery subject to reporting on the RPPR?

A: Yes, if a substance was sent off site for purposes of recycling or energy recovery, the quantity of the substance in the nonproduct output (waste) and the off-site location that received the nonproduct output (waste) are to be reported on the RPPR under Section B, question #21.

Production Quantities and Units

Q: In question #23, "Quantity and Units of Production Associated with the Substance," how many products should be listed?

A: List up to four (4) responses for this question (#23) for each reportable substance on the RPPR. Be sure to report the products that require the largest quantities of the reportable substance first and in descending quantitative order!

COMMONLY NOTED REPORTING ERRORS

Reporting errors were extremely common throughout the RPPR, particularly with paper submissions. Beginning with the implementation of the electronic reporting system, the introduction of systems logic, calculations, edit checks and error warnings has enabled the Department to advise users of reporting issues. Therefore, most, if not all, reporting errors are now addressed through the electronic reporting forms. However, addressed below are a few of the most common errors and the issues surrounding them.

Quantity Consumed On Site (Section B. #8), and Quantity Shipped Off Site As (Or In) Product (Section B. #9)

Error: The reported "quantity consumed" on site is identical to the reported "quantity shipped off site as (or in) product."

A substance is consumed on site when a chemical change occurs to that substance. A chemical reaction results in a change where a rearrangement of the atoms, ions, or radicals of one or more substances results in the formation of a new substance (or substances) often having entirely different properties. Chemical changes should be distinguished from physical changes, in which only the state or condition of a substance is modified, its chemical nature remaining the same.

Do not report in Section B. #8 any quantity of a substance that was incorporated into a product as a formulation component or as an article component. This could result in a double counting of quantities of the substance and create a discrepancy in the materials accounting process. These quantities should be reported under question #9, quantity shipped off site as (or in) product, or under question #10, ending inventory, as appropriate. Refer to the RPPR instructions for more details. Further, the Materials Accounting Data Worksheet, a component of the e-reporting website, may help identify under- or over-counting of chemical use and throughput.

Total Discharge to Publicly Owned Treatment Works (POTW) (Section B. #17)

Error: The quantity reported as total discharge to a POTW is identical to a reported quantity transferred to other off-site locations (#21). Additionally, the POTW is listed as the other off-site location.

If there is a discharge of wastewater to a POTW containing a reportable substance, the quantity of the substance is reported in Section B. #17. The POTW facility and location information should be reported on Section A. (Refer to the instructions for more details.)

Transfers to Other Off-Site Locations (Section B. #21)

Error: A POTW is listed as an "other off-site location" along with a reported quantity of a waste transfer.

Do not report discharges to POTWs in question #21. Section B. #21 is for transfers to other off-site locations, not including POTWs, for purposes of recycling, energy recovery, waste treatment, or disposal. Refer to the instructions for more details on reporting discharges to POTWs and to other off-site locations.

Quantity And Units of Production (Section B. #23)

Error: Question 23 is not answered, it is left blank.

An appropriate response to all applicable questions is required. If this question is left blank, you will receive the following error message: "Please enter at least one row of Quantity and Product (Units of Measurement & Description)." (Refer to the instructions for more details.)

Should you have further questions regarding completion of the RPPR, contact the DEP's Office of Pollution Prevention and Right To Know at (609) 777-0518.