

Appendix A. TRI Federal Facility Reporting Information

Special Instructions for TRI Federal Facility Reporting

A.1 Why Do Federal Facilities Need to Report?

Executive Order 13693, “Planning for Federal Sustainability in the Next Decade,” requires federal agencies to comply with the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA) and the Pollution Prevention Act of 1990 (PPA). Federal facilities have been subject to EPCRA section 313 and PPA since reporting year 1994. TRI submissions are due to EPA on July 1 of the year following each reporting (calendar) year. Reporting by the federal facility does not alter the reporting obligation of on-site contractors. Contracts entered into after the date of this order for contractor operation of government-owned facilities or vehicles require the contractor to comply with the provisions of this order with respect to such facilities or vehicles to the same extent as the agency would be required to comply if the agency operated facilities or vehicles.

For more information on Executive Order 13693, please refer to the implementing instructions which can be found on the TRI web page: <http://www2.epa.gov/toxics-release-inventory-tri-program/tri-laws-rulemakings-and-notices>

A.2 Identifying Federal Facility Reports

Federal facility reports are identified as federal by several indicators on the form. The facility name and parent company name are critical indicators and must be reported as described below. Another critical indicator is the federal facility report box, Part I, 4.2c. Federal facilities only should check this box to indicate that the report is from a federal agency for a

federal facility; federal facilities should not check the GOCO box, (Part I, Section 4.2d of the Form R). Contractors located at federal facilities (GOCOs) should check the GOCO box (Part I, Section 4.2d of the Form R); they should not check the box 4.2c. Facilities should also complete the partial or complete facility blocks (Form R page 2, block 4.2a and 4.2b) as appropriate. If you are a federal facility reporting for the first time, you should write "new" in the TRI Facility ID (TRIFID) box, even if a contractor has reported for your facility in the past. The contractor will retain the original TRIFID. You will be assigned a new TRIFID the first time you report.

A.3 The “Double Counting” Problem

As structured, the law and the executive order require both regulated industries and the federal government to report TRI data, sometimes for the same site. In order to prevent duplicate data in the TRI database, which could result in “double counting” data for some chemicals and locations, EPA must be able to identify and distinguish the GOCO reports submitted by the federal contractor from the federal facility reports which contain data for the same site. To accomplish this, federal facility reports should be accompanied by either 1) exact electronic copies of all contractor TRI reports, including when the totals reported by the federal facility are greater than those reported by the contractor(s), or 2) a cover letter with a list of the facility contractors that submit TRI reports to EPA, identifying each contractor by name, TRI technical contact, and TRI facility name and address. Additionally, federal facilities should check Form R, Part I, Section 4.2c, while contractors at federal facilities should check Form R, Part I, Section 4.2d.

A.4 How to Report Your Facility Name

Facility name is a critical data element. It is used by EPA to create the TRI facility ID number (TRIFID), which is a unique number designed to identify a facility site. The facility name and TRIFID number are used by all TRI data users to link data from a single site across multiple reporting years. A federal facility is assigned a new TRIFID number when the federal report is entered into the Toxics Release Inventory system for the first time. This TRIFID number, generated when the first report is entered into the Toxics Release Inventory System, will be included in future reporting packages sent to the federal facility, and should be used by the federal facility in all future reports.

Federal facilities should report their facility name in Section 4.1 as shown in the following example:

U.S. DOE Savannah River Site

It is very important that the agency name appear first, followed by the specific plant or site name.

Federal contractors at GOCO facilities should report their names as shown in the following example:

U.S. DOE Savannah River Site -
Westinghouse Operations.

A.5 How to Report Your North American Industry Classification System (NAICS) Code

Federal facilities should report the NAICS code which most closely represents the activities taking place at the site. Section A.10 lists the Public Administration NAICS codes covering executive, legislative, judicial, administrative and regulatory activities of the Federal government. Government-owned and operated business establishments are classified in major NAICS groups according to the activity in

which they are engaged. For example, a Veterans Hospital would be classified in Group 806 - Hospitals.

A.6 How to Report Your "Parent Company" Name

Federal facilities should report their parent company name on page 2 of the Form Rs (Section 5.1) by reporting their complete Department or Agency name, as shown in the following example:

U.S. Department of Energy

Block 5.2, Parent Company's Dun & Bradstreet Number, should be marked NA.

Federal contractors at GOCO facilities should not report a federal department or agency name as their parent company. A federal name in the parent company name field will classify the report as federal, and the GOCO may be identified as a non-reporter.

A.7 How to Revise Your Data After It Has Been Submitted

Effective January 21, 2013, facilities may only revise TRI reporting forms submitted for Reporting Year 1991 through the current reporting year. Use TRI-MEweb to submit revisions to non-trade secret TRI submissions.

If you have questions about using TRI-MEweb to revise your Form R/A, please refer to the TRI-MEweb tutorial page at:

<http://www2.epa.gov/toxics-release-inventory-tri-program/tri-meweb-tutorials>.

Facilities may request a revision for one or more of the following reasons:

Revision codes:

- RR1 - New Monitoring Data
- RR2 - New Emission Factor(s)
- RR3 - New Chemical Concentration Data
- RR4 - Recalculation(s)
- RR5 - Other Reason(s)

Please note that late submissions for chemicals not reported in a previous reporting year are not considered revisions for that year.

Facilities are reminded that there is a legal obligation to file an accurate and complete Form R or Form A report for each chemical by July 1 each year. EPA may take enforcement action and assess civil administrative penalties regarding corrections to errors in Form R reports that are not changes based on previously unavailable information or procedures which improve the accuracy of the data initially reported. The kinds of errors which may result in enforcement and in penalties include but are not limited to the following: (1) Errors caused by not using the most readily available information, for example, not using monitoring data collected for compliance with other regulations in calculating releases; (2) omitting a major source of emissions; (3) a mathematical or transcription or typographical error which seriously compromises the accuracy of the information, and; (4) other errors which seriously affect the utility of the data, particularly errors in release reporting for which the facility has no records showing the derivation of the release calculation, and cannot provide a sufficient explanation of the report.

How do I revise my submission(s)?

If you plan to revise a TRI submission, you must send revised report(s) to EPA and the appropriate state or tribal agency.

You must use TRI-MEweb to submit revisions to non-trade secret TRI submissions. EPA will only accept revisions for Reporting Year 1991 through the current year.

A.8 Who Should Sign Federal Form R Reports?

Federal Form R reports should be certified by the senior federal employee on-site. If no federal employee is on-site, federal Form R reports must be certified by the senior federal employee with management responsibility for the site. Federal Form R reports should be certified by a federal employee. Contractor

employee certifications are not considered valid on federal reports.

A.9 More Help is Available!

Federal facilities may call the EPA/TRI Information Center to ask specific questions concerning how to submit their Form R report. For contact information, see the "Contact Us" link on the TRI Home Page at <http://www.epa.gov/tri>. Additional information may also be found in the Federal Facilities guidance document at: <http://www2.epa.gov/toxics-release-inventory-tri-program/guidance-federal-facilities-revised-1999-version>.

A.10 North American Industry Classification System Codes 921-928

Sector 92 - Public Administration

921 Executive, Legislative, and Other General Government Support

- 92111 Executive Offices
- 92112 Legislative Bodies
- 92113 Public Finance Activities
- 92114 Executive and Legislative Offices Combined
- 92115 American Indian and Alaska Native Tribal Governments
- 92119 General Government, Not Elsewhere Classified

922 Justice, Public Order, and Safety Activities

- 92211 Courts
- 92212 Police Protection
- 92213 Legal Counsel and Prosecution
- 92214 Correctional Institutions
- 92215 Parole Offices and Probation Offices
- 92216 Fire Protection
- 92219 Other Justice, Public Order and Safety Activities

923 Administration of Human Resource Programs

- 92311 Administration of Educational Programs
- 92312 Administration of Public Health Programs
- 92313 Administration of Human Resource Programs (Except Education, Public Health, and Veterans' Affairs Programs)
- 92314 Administration of Veterans Affairs

924 Administration of Environmental Quality Programs

- 92411 Administration of Air and Water Resource and Solid Waste Management Programs
- 92412 Administration of Conservation Programs

925 Administration of Housing Programs, Urban Planning, and Community Development

- 92511 Administration of Housing Programs

- 92512 Administration of Urban Planning and Community and Rural Development

926 Administration of Economic Programs

- 92611 Administration of General Economic Programs
- 92612 Regulation and Administration of Transportation Programs
- 92613 Regulation and Administration of Communications, Electric, Gas, and Other Utilities
- 92614 Regulation of Agricultural Marketing and Commodities
- 92615 Regulation, Licensing, and Inspection of Miscellaneous Commercial Sectors

927 Space Research and Technology

- 92711 Space Research and Technology

928 National Security and International Affairs

- 92811 National Security
- 92812 International Affairs