

Texas Community Right-to-Know Acts (TCRAs)

The **three** Texas Community Right-to-Know Acts (TCRAs) Chapter 505-507 of the Health and Safety Code, effective **September 1, 1993**, are:

- [Manufacturing Facility Community Right-to-Know Act](#) - a community right-to-know law which applies to facilities listed under Standard Industrial Classification (SIC) Codes 2011 through 3999.
- [Public Employer Community Right-to-Know Act](#) - a community right-to-know law which applies to Public Employers facilities (i.e., city, county and state agencies; public schools, colleges and universities; tax base-supported hospitals; river authorities; volunteer emergency service organizations; and agencies created by state law) listed under SIC Codes 8011 through 9999. This law is also applicable to water supply and water treatment facilities in SIC Code 4941 that are operated by local government agencies.
- [Non-Manufacturing Facilities Community Right-to-Know Act](#) – a community right-to-know law which applies to all facilities which are NOT listed under SIC Codes 2011-3999 and which are NOT Public Employers listed under SIC Codes 8011 through 9999.

COMMON FEATURES OF THE TCRAS

1. ALL facilities in Texas (except federal facilities) are covered by the TCRAs.
 2. Each facility operator is required to report an annual hazardous chemical inventory, in the form of an electronic Tier2 Submit data file, if the facility met or exceeded the thresholds established in the TCRAs.
 - (a) 10,000 pounds for hazardous chemicals which are not included on the EHS List and are not otherwise exempt.
 - (b) 500 pounds or the Threshold Planning Quantity (TPQ) in pounds, **whichever amount is less** for any of the chemicals listed on the Extremely Hazardous Substance (EHS) List.
 3. All Texas facility operators who submit the Texas Tier Two Report **MUST** submit a report in an electronic format that was prepared using the Tier2 Submit software program.
 4. All Texas Tier Two Reports received by DSHS **MUST be accompanied by a [filing fee](#)**. A limited number of facility reports may be consolidated under a single filing fee, if certain [criteria](#) are met.
 5. All facilities that submit the Texas Tier Two Report to DSHS **MUST submit copies** of the Report to the local [fire department](#) having jurisdiction over the reporting facility and to the [Local Emergency Planning Committee](#) (LEPC) for the county or area of the reporting facility.
 6. If a facility maintains ANY amount of one or more hazardous chemicals, then information on the types and amounts of those chemicals **MUST** be provided upon request, to the fire chief or the LEPC.
 7. Upon request, all Texas facility operators are required to provide a copy of a Material Safety Data Sheet (MSDS) for ANY hazardous chemical (regardless of amount) to DSHS, the fire chief, or an LEPC representative.* However, copies of MSDS's should NOT be submitted to DSHS unless they are specifically requested in writing.
 8. Any non-federal facility in Texas is subject to compliance inspections by DSHS, and may be subject to administrative penalties for failure to file the report and/or any other violations of the TCRAs.
- Note: Provisions 6 and 7 apply to ALL Texas facilities, even those that do NOT exceed the Tier Two reporting thresholds.