§ 37-0305. Toxic chemical release form.

1. The owner or operator of each facility subject to the requirements of this title shall complete a toxic chemical release form as published pursuant to subsection (g) of 42 U.S.C. § 11023, as amended and subsections (a) and (b) of 42 U.S.C. § 13106, as amended for each toxic chemical listed pursuant to subsection (c) of 42 U.S.C. § 11023, as amended that was manufactured or processed in quantities greater than twelve thousand five hundred pounds per year, or otherwise used in quantities greater than five thousand pounds per year at each facility during the preceding calendar year. Such form shall be submitted to the commissioner on or before July first, nineteen hundred ninety-six and thereafter on or before July first and shall contain data reflecting releases during the preceding calendar year.

2. The commissioner may require that submittal be on diskette or other compatible electronic media.

3. A facility specified in section 37-0303 of this title is exempt from the reporting requirement set forth in subdivision one of this section if the owner or operator of the facility certifies in writing to the commissioner that no toxic chemical is manufactured or processed in quantities greater than twelve thousand five hundred pounds per year, or otherwise used in quantities greater than five thousand pounds per year at the facility. The certification must be submitted to the commissioner by the first applicable reporting date set forth in subdivision one of this section. Such facility is exempt from further reporting unless a toxic chemical is manufactured or processed in quantities exceeding twelve thousand five hundred pounds per year, or otherwise used in quantities exceeding five thousand pounds per year at the facility. The commissioner may request, from the owner or operator, documentation to support a claim that a facility qualified for this exemption.