2015 Tier II Reporting Guide

Tier II Emergency and Hazardous Chemical Inventory Reports for Year 2014

Due March 1, 2015

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Who is Subject to Tier II Reporting Requirements</td>
<td>2</td>
</tr>
<tr>
<td>Reportable Chemicals</td>
<td>2</td>
</tr>
<tr>
<td>Thresholds</td>
<td>2</td>
</tr>
<tr>
<td>Exclusions</td>
<td>3</td>
</tr>
<tr>
<td>Converting Gallons to Pounds</td>
<td>3</td>
</tr>
<tr>
<td>Instructions - Preparing Your Tier II Report</td>
<td>4-8</td>
</tr>
<tr>
<td>SD On-line Reporting Option</td>
<td>4-5</td>
</tr>
<tr>
<td>Paper Report Form Option</td>
<td>5-8</td>
</tr>
<tr>
<td>Completing Page One</td>
<td>5-6</td>
</tr>
<tr>
<td>Completing the Specific Information by Chemical Page</td>
<td>7-8</td>
</tr>
<tr>
<td>EPA Tier II Submit Software Option</td>
<td>8</td>
</tr>
<tr>
<td>Submitting Your Tier II Report</td>
<td>9</td>
</tr>
<tr>
<td>Fee</td>
<td>10</td>
</tr>
<tr>
<td>FAQ (Frequently Asked Questions)</td>
<td>10-11</td>
</tr>
<tr>
<td>Definitions/Acronyms</td>
<td>11-12</td>
</tr>
</tbody>
</table>
WHO IS SUBJECT TO TIER II REPORTING REQUIREMENTS

A facility is subject to Tier II reporting requirements, if required, under regulations implementing the Occupational Safety and Health Act of 1970, to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical present on-site. MSDS requirements are specified in the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard, found in Title 29 of the Code of Federal Regulations at §1910.1200.

REPORTABLE CHEMICALS

A chemical may be reportable if your facility is required, under OSHA’s Hazard Communication Standard, to maintain a MSDS. A short list of some common reportable chemicals and their thresholds is available on the state Title III webpage (http://denr.sd.gov/titleiii)

THRESHOLDS

Report if at any time during 2014, you stored an amount equal to or exceeding the following:

- **Gasoline or diesel in aboveground tanks (ASTs)** - 10,000 pounds;
- **Gasoline or diesel in UST’s at non-retail facilities** - 10,000 pounds;
- **Gasoline (all grades combined) in underground tanks (USTs), for retail sale to the public for motor vehicles on land** - 75,000 gallons;
- **Diesel fuel (all grades combined) in USTs, for retail sale to the public for motor vehicles on land** - 100,000 gallons;
- **Extremely Hazardous Substances (EHSs)** - 500 pounds or the threshold planning quantity (TPQ). A list of EHSs and TPQs is available on-line (http://denr.sd.gov/titleiii).
  
  Note: When reporting EHS chemicals, if a specific EHS is present in several different products you store, you must determine the amount in each product then see if the combined total amount meets the threshold); and
- **All other OSHA Hazardous materials/chemicals** - 10,000 pounds.
Exclusions

The following are excluded from Tier II reporting:

- **Solid substances** –
  ONLY if human health exposure will not occur during normal conditions. (For example, a glass marble is exempt while an insecticide pellet is not exempt);
- **Any Food and Drug Administration regulated food, food additive, drug, or cosmetic**;
- **Substances stored at facilities that are not subject to OSHA**;
- **Any substance that is not regulated by OSHA**;
- **A substance used for household purposes, or packaged in the same form and concentration as when used for household purposes** –
  (Examples: pail of house paint or gallon jug of herbicide sold for use on a lawn);
- **A substance used in a research laboratory or a hospital under the direct supervision of a technically qualified individual** –
  (For example, oxygen for medical use is exempt but helicopter fuel is not exempt);
- **An agricultural chemical the farmer stores and uses on his/her own farm**;
- **Fertilizer held for retail sale for agricultural use** -
  The exclusion does not apply to ammonia used for purposes such as refrigeration or to fertilizer held by a wholesaler. Further, when a facility formulates a custom blend, that products used are not exempt. For additional information, read the fertilizer reporting links on the state Title III webpage (http://denr.sd.gov/titleiii);
- **A chemical is not reportable while in transit.**
  The chemical may be reportable when stored at the origin and destination; and
- **A chemical that poses no physical or health hazards.**
  If the MSDS or Safety Data Sheet (SDS) indicates there are no physical or health hazards. Be careful with this determination – call (800) 433-2288 for assistance.

Converting Gallons To Pounds

You have several options for determine the weight of your product:

- Your supplier may be able to tell you the weight per gallon;
- There are many helpful conversion formulas and tools available on-line;
- You may perform the calculation yourself using the following formula:
  
  \[
  \text{specific gravity (SG)} \times 8.3 = \text{pounds per gallon}
  \]
  
  or
  
  \[
  \text{relative density (RD)} \times 8.3 = \text{pounds per gallon}
  \]

  Example: Storage of 1,000 gallons of a liquid when the MSDS says the SG is 1.5

  1. Multiply the SG by 8.3 to get the pounds per gallon
     \[1.5 \times 8.3 = 12.5 \text{ pounds per gallon}\]
  2. Multiply the pounds per gallon by the gallons you store
     \[(12.5 \times 1,000 = 12,500 \text{ pounds of product})\]
INSTRUCTIONS - PREPARING YOUR TIER II REPORT

Tier II Reports are due by March 1, 2015.

If you store reportable chemical at more than one location, you have more than one facility and will need to submit more than one Tier II report (adjoining sites, or sites separated by a road are considered one facility).

You have three different Tier II Reporting options/methods to choose from:

Option 1: SD On-line reporting;
Option 2: Paper Report Form; or
Option 3: EPA Tier II Submit Software (Moody County prefers this option).

OPTION 1 – SOUTH DAKOTA ON-LINE REPORTING OPTION

The South Dakota on-line reporting option does not require you to download any software. Simply log in, update/change, then submit facility and chemical storage information.

Note: If you submitted a Tier II report (including a paper report) in the past, your previous submittal information HAS been pre-entered. You simply need to add missing data, review, and update as necessary.

The log in procedure is as follows:
- Go to the on-line reporting webpage (http://denr.sd.gov/tierii); and
- Enter your User ID and Password. Your used ID and password are on the brightly colored “!!! Important !!!” sheet.

After you log in, you will see a list of facilities for which your company has submitted Tier II reports in the past.

To complete your submittal, you must update the facility location and contact information AND you must ALSO update each chemical report.

To update facility location and contact information:
- Click on the facility name, found under “Facility to be reviewed.”
- Instructions are available on-line, near the top of the page you are editing. Click the “Tier II Reporting Instructions” link.
- Review, add additional information, and make updates/changes. When you are finished, scroll to the bottom, click the box stating “I have reviewed the facility information” then click the “Submit” button. Some data fields are required so if the form does not save your changes, you may have missed a required data field.

To update chemical storage information, click “review”, found under “Chemical Inventory”. This will take you to the Tier II Chemical Listing page.
- You have the option to add new chemicals to report.
- You have the option to edit or delete any chemicals pre-listed for you by hovering your mouse pointer over the chemical name.
Make sure you delete chemicals you no longer store.

- Edit/review every chemical you wish to report this year.
  - Instructions are available on-line. When you are editing a specific chemical record, instructions will be found near the top of the page. Click the “Tier II Reporting Instructions” link.
  - Review, add additional information, and make updates/changes. When you are finished, scroll to the bottom of the page, click the box stating “Chemical information has been reviewed” then click the “Submit” button. Some data fields are required so if the form does not save your changes, you may have missed a required data field.

After you have submitted updates, wait 24 hours then log back in and view the “Printable Report.” The “Printable Report” does not update right away. You will typically see updates within 24 hours. However, in some cases it may take up to 48 hours. After your printable report shows your updates, your Tier II report has been successfully submitted to the state.

**OPTION 2: PAPER REPORT FORM**

The paper reporting form was mailed to you and consists of two pages. **Page One** is for information such as the facility location and contact names and addresses. The second page, also referred to as the “Specific Information by Chemical” page of the form is where you provide information about your chemical storage.

Note: Moody County prefers you use reporting option 3 (the EPA Tier II Submit Software).

Note: If you submitted a Tier II report (including a paper report) in the past, you are encouraged to try reporting on-line. Your previous submittal information HAS been pre-entered. You simply need to add missing data, review, and update as necessary.

**PAGE ONE OF THE PAPER FORM**

If you received a partially pre-completed form, please note many data fields were left blank. You will need to add any missing information. Further, you will need to review the pre-completed information to insure it is accurate. Make changes using a pen to cross out incorrect information and replace it with correct information.

**Reporting Period:**

At the top of the form, along right hand margin. The reporting period is January 1 through December 31, 2014.

**State ID #:**

At the top of the form, along right hand margin. When an ID number is assigned to a site, it remains the same even if site ownership changes. The State ID# is two letters followed by four numbers (example: ML 0901). If this is the first Tier II to be filed for a facility, or if you don’t know the State ID#, call (800) 433-2288.

**IMPORTANT** - Add the State ID # to the top of EVERY page. If you fail to do so, pages of your submittal could become separated, making it appear you filed an inaccurate or incomplete report.
Facility Identification Section:
Provide information regarding the physical location of the chemical storage facility:
- Enter the storage facility name, along with the physical location street address, county, city, state, zip code, latitude, and longitude;
- Indicate whether the facility is manned or unmanned. A facility is manned even if employees are only present for part of the day or at certain times of the year;
- Estimate a maximum number of occupants. Consider busy times. Include employees and other individuals such as contractors, tenants, customers, etc.;
- Enter the primary North American Industry Classification System (NAICS) code for the facility. If you don’t know the code, search the NAICS website. A link to that website is available on the state Title III webpage (http://denr.sd.gov/titleiii);
- Enter your Dun & Bradstreet number. To determine if you have a number, ask your company financial officer. Leave this bank if you do not have a number;
- If a Toxic Release Inventory (TRI)/Section 313 report has been filed for this facility, enter the TRI ID number;
- If your facility has a Risk Management Plan (RMP), enter the RMP facility ID;
- Check “Yes” if the facility is subject to the emergency planning notification requirement of EPCRA section 302 (if your store >= the TPQ of an EHS); and
- Check “Yes” if the facility is subject to chemical accident prevention (if you have an RMP and entered an RMP ID number above).

Owner or Operator Information Section:
Enter the name of the facility owner, the mailing address, phone #, and email.

Parent Company Information Section:
You have the option of providing information about the parent company. Enter company name, mail address, phone, email, and the Dun & Bradstreet number.

Facility Emergency Coordinator Section:
Enter the name of the Facility Emergency Coordinator, along with a title, work phone number, 24-hour phone number, and e-mail address. Note: you must have an emergency coordinator if your facility is subject to the emergency planning notification requirement under EPCRA section 302, (if you store >=TPQ of an EHS).

Tier II Information Contact Section:
Enter the name, title, mailing address, phone number, and e-mail for the person responsible for preparing, submitting, and answering questions about your submittal.

Emergency Contacts Section:
Enter the names, titles, work phone numbers, 24-hour phone numbers, and e-mail addresses for two people who can serve as points of contact should emergency responders need assistance when responding to a chemical accident at the facility.

Certification Section:
After you have completed this page AND the chemical reporting page(s), review for accuracy. Indicate how many pages are in your submittal, then print your name and title before signing and dating the form.
**SPECIFIC INFORMATION BY CHEMICAL PAGE (PAGE 2) OF THE PAPER FORM –**

There is space for you to report two chemicals per page. When reporting more than two chemicals, you are expected to use and attach additional copies of the “Specific Information by Chemical” reporting page.

HINT: Make sure you have a MSDS or Safety Data Sheet (SDS) available when completing this page. If using an SDS, refer to section 15. Your chemical supplier should be able to provide you with as MSDS or SDS upon request.

State ID #:

At the top of the form, along right hand margin. Enter your 6 digit state Facility ID number. The ID number remains the same from year to year. If this is the first Tier II to be filed for a facility, or if you don’t know the facility ID, call (800) 433-2288.

!!! IMPORTANT !!! - Add the State ID # to the top of EVERY page. If you fail to do so, pages of your submittal could become separated, making it appear you filed an inaccurate report.

Chemical Description Section:

See the “Reportable Chemicals” section of this Reporting Guide and review “Exclusions” and “Thresholds.” Report all non-excluded chemicals stored in quantities meeting or exceeding the threshold, even if storage was very short term.

- Check the box indicating whether the chemical is pure (99 or 100% by volume) or if it is a mixture of two or more ingredients.
- Enter the name as written on the MSDS or SDS.
- Enter the Chemical Abstract Service (CAS) registry number. This number can be found on your MSDS or SDS. A pure product will have a CAS number. Some product mixtures do not have a number, so you may check “CAS not available.”
- Check the box indicating whether your chemical is solid, liquid, or gas. If you choose to withhold the name of a chemical due to trade secret concerns, enter a generic description “Name,” omit the “CAS #,” and check the Trade Secret box.
- Indicate whether the chemical is (or if the product mixture contains) an EHS.
- Enter an EHS name, if your chemical is (or if the mixture contains) an EHS.
- When reporting a mixture containing an EHS, enter the weight of the EHS portion of the mixture. Report using a range code from the table below.
- When reporting mixtures, you can add non-EHS ingredient names.

Physical and Health Hazards Section:

HINT: If you have an SDS for your chemical, refer to section 15 of the SDS.

- Fire – MSDS may say flammable, combustion liquid, pyrophoric, oxidizer, etc.
- Sudden Release of Pressure – MSDS may say explosive, compressed gas, etc.
- Reactive – MSDS may say unstable reactive, organic peroxide, water reactive, etc.
- Immediate (Acute) – MSDS may say toxic, irritant, sensitizer, corrosive, adverse effect with short term exposure, etc.
- Delayed (Chronic) – MSDS may say carcinogen, adverse effect with long term exposure, etc.
Inventory Section:
- Determine the maximum amount stored at any one time. Calculate the weight in pounds then report using a range code. See range codes in the following table.
- You have the option of also providing an actual maximum in pounds or gallons.
- Determine the average amount stored at any one time. Calculate the weight in pounds then report using a range code. See range codes in the following table.
- You have the option of also providing an actual average in pounds or gallons.
- Indicate how many days per year the chemical is stored on-site.

<table>
<thead>
<tr>
<th>Range Code</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>0 pounds</td>
<td>99 pounds</td>
</tr>
<tr>
<td>02</td>
<td>100 pounds</td>
<td>499 pounds</td>
</tr>
<tr>
<td>03</td>
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</tr>
<tr>
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<td>49,999 pounds</td>
</tr>
<tr>
<td>08</td>
<td>50,000 pounds</td>
<td>74,999 pounds</td>
</tr>
<tr>
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<td>10</td>
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<td>11</td>
<td>500,000 pounds</td>
<td>999,999 pounds</td>
</tr>
<tr>
<td>12</td>
<td>1,000,000 pounds</td>
<td>9,999,999 pounds</td>
</tr>
<tr>
<td>13</td>
<td>10,000,000 pounds</td>
<td>Greater than 10 million pounds</td>
</tr>
</tbody>
</table>

Type of Storage Section:
Check all applicable storage container types.

Storage Conditions Section:
Check all applicable storage pressure and temperature conditions.

Storage Locations Section:
Indicate where the chemical is actually stored at the facility. You may attach a map.

Additional Reporting Information Section:
- Make a note of any additional information that may be relevant to first responders;
- Indicate the size of the largest storage container;
- Indicate if the chemical you reported is an ingredient in something you make (Particularly if you use it to make a custom blend fertilizer product);
- Finally, if you are reporting voluntarily, check the most applicable reason box.

**OPTION 3 - EPA TIER II SUBMIT SOFTWARE (Moody County prefers this option);**

Should you choose to prepare your report utilizing the federal EPA Tier II Submit Software, you will first need to have it installed on your personal computer. The software, along with instructions and a “Facility Submission Guide,” is available on the federal EPA website. There is a link to the federal website on the state Title III webpage (http://denr.sd.gov/titleiii).
SUBMITTING YOUR TIER II REPORT

By March 1, 2015, Tier II reports must be submitted to ALL of the following:

1. **Local Fire Department**
   Addresses are listed on the SD Title III webpage (http://denr.sd.gov/titleiii)

2. **Local Emergency Planning Committee (LEPC)**
   Addresses are listed on the SD Title III webpage (http://denr.sd.gov/titleiii)

3. **State of South Dakota/SERC**
   - E-mail: trish.kindt@state.sd.us
   - Mail address: PMB 2020
     SD DENR – SERC
     523 East Capitol Avenue
     Pierre, SD 57501-3182

If you prepared your report using **Option 1: SD On-line Reporting Option:**
- Go on-line and view the “Printable Report” to see if all your changes have been incorporated.
- When the “Printable Report” displays all your changes, print 2 copies. Sign and date both copies.
- Mail the hard/paper copies to the Fire Department and LEPC.
- You do not have to send anything to the state as long as the “Printable Report” shows all your changes.

If you prepared your report using **Option 2: the paper version:**
- Sign, date, and separate the colored pages.
- Keep the last page for your records.
- Mail one copy to the LEPC and one copy to the Fire Department.
- Mail the white copy to the state.

If you prepared your report using **Option 3: EPA Tier II Submit Software:**
- The EPA software allows you to print hard/paper copies of the report and/or export electronic data files.
- Sign and date all the hard/paper copies.
- Send a paper copy to the Fire Department.
- Some LEPC’s require a paper copy, but if an e-mail address is available, the LEPC will accept electronic submittals.
- The state accepts paper or electronic data file submittals.
FEE

When is the fee due? Your Tier II Report is due March 1, 2015, but your fee is not due until April 1, 2015. Payments postmarked after April 1, 2015, are late. Late fees may apply.

Where can I find the fee form? The fee will be calculated and an invoice mailed to you within 7 days of state receipt of your Tier II report.

If you do not receive an invoice within 10 days of report submittal, call Trish at (800) 433-2288 or send an e-mail (trish.kindt@state.sd.us). You are responsible for ensuring your fee is paid prior to April 1, 2015.

How are fees calculated? The fee is based upon the number of reportable chemicals in your Tier II report. Chemicals reported voluntarily should not count towards the fee. If you believe your fee was calculated incorrectly, PLEASE don’t hesitate to contact Trish via e-mail (trish.kindt@state.sd.us) or by calling (800) 433-2288.

The fee per facility will be calculated as follows:
- $0 (if you store no reportable chemical but submitted voluntarily)
- $50 (1 - 3 reportable chemicals at the facility)
- $100 (4 - 9 reportable chemicals at the facility)
- $200 (10 - 18 reportable chemicals at the facility)
- $300 (>=19 reportable chemicals at the facility)

A late fee payment penalty applies to payments made after April 1. A $15 penalty applies to fees of $150 or less and a 10% penalty applies to fees of $200 or more.

FREQUENTLY ASKED QUESTIONS

I have questions. Who can help me? You may find helpful information on the SD Title III webpage (http://denr.sd.gov/titleiii). You can also call Trish at (800) 433-2288 or send an e-mail (trish.kindt@state.sd.us).

What are my options for reporting product mixtures? When dealing with a product mixture, you may report the weight of the entire product mixture or you may calculate and report using the weight of just the part of the mixture that is comprised of a particular hazardous substance ingredient. Many product mixtures contain multiple hazardous substance ingredient(s). In South Dakota most facilities simply report the weight of the entire product mixture.

How do I report an EHS? The total amount of an EHS at a facility (pure and in mixtures) must be aggregated for purposes of determining the reporting threshold for that particular EHS. It is suggested that the aggregation calculation be done as a first step in determining whether the reporting threshold has been met. When reporting your above threshold EHS, you may enter the product name as it appears on the MSDS. Make sure you ALSO report the actual EHS name in the space provided.
I store chemical at more than one facility in the same town. May I combine all storage and just submit one report?  No. You need to submit a separate report for each separate site where you store reportable chemical. However, if your different facilities are on a large single piece of property, or if they are only separated by a road, you still have one facility.

Do I need to consider batteries? In general, an automobile battery is exempted. A forklift battery may not be exempted. For additional information, go the battery reporting links on the SD Title III webpage: (http://denr.sd.gov/titleiii).

Where can I get extra copies of the Tier II form? Request a copy via e-mail (trish.kindt@state.sd.us) or by calling 800-433-2288. You also have the option of printing copies. A printable version is available on-line (http://denr.sd.gov/titleiii).

Where can I find a list of all Tier II reportable chemicals? There is no list of all reportable chemicals. A chemical may be reportable if your facility is required, under OSHA’s Hazard Communication Standard, to maintain a MSDS. A short list of some common reportable chemicals and their thresholds is available on the state Title III webpage (http://denr.sd.gov/titleiii).

DEFINITIONS/ACRONYMS

AST’s: Aboveground Storage Tanks

CAS#: The Chemical Abstract Service number is a unique identifier assigned to each known chemical. Find CAS #’s on the MSDS or SDS. If you store a product mixture, the MSDS or SDS will list CAS #’s for each ingredient in the mixture but there may not be a CAS # for the mixture as a whole.

EHS: An Extremely Hazardous Substance is a substance considered to be acutely toxic. To determine if your chemical is an EHS, or contains an EHS ingredient, go to the link on the South Dakota Title III webpage (http://denr.sd.gov/titleiii).

MSDS: The Material Safety Data Sheet is a document that accompanies hazardous substances and outlines ingredients, weight, hazards, handling instructions, and disposal. Your supplier should be able to provide a copy and you should maintain a copy of the MSDS or SDS for each chemical you use or store. See SDS discussed below.

NAICS: The North American Industry Classification System code system is the standard used to classify business establishments for the purpose of comparing like sectors in the economy. If you do not know your NAICS code, you can search for it on-line at the NAICS website (http://www.naics.com/search.htm).

OSHA: The Occupational Health and Safety Administration is a federal agency that operates under the U.S. Department of Labor. The mission of OSHA is to ensure businesses provide safe and healthy working environments for all their employees
**RD:** Specific Gravity or RD is the ratio of the density of a substance to the density of a given reference material (usually water). The RD or SG can be found in the MSDS or SDS and can be used to calculate product weight.

**SDS:** The Safety Data Sheet is similar to a MSDS. The difference lies in how the data sheets are formatted and organized. A SDS is formatted to conform with the Globally Harmonized System which mandates 16 sections arranged in a specific order. Your supplier should be able to provide a copy and you should maintain a copy of the MSDS or SDS for each chemical you use or store. See MSDS, discussed above.

**SG:** Specific Gravity or RD is the ratio of the density of a substance to the density of a given reference material (usually water). The RD or SG can be found in the MSDS or SDS and can be used to calculate product weight.

**SIC:** The Standard Industrial Classification code is method of classifying industries by type. The financial officer of your facility may be able to help you find your SIC code. If you cannot find your code, try looking it up On-line (http://www.census.gov/epcd/www/sic.html).

**TPQ:** The Threshold Planning Quantity is the reporting threshold in pounds for an EHS. When completing a Tier II submittal, an EHS is reportable if storage equals or exceeds the TPQ in pounds or if storage equals or exceeds 500 pounds. Go to the SD Title III webpage (http://denr.sd.gov/titleiii) to see a link to a list of EHS's and the TPQ's.

**UST’s:** Underground Storage Tanks