





# Tier II Reporting

# Introduction

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Program

Main contact for SARA Title III

Spill cleanup program contact

# Outline

- Background - Why do we have these reporting requirements?
- Reporting Requirements
  - Who may need to report?
  - Is anything exempted from reporting?
  - What are the Reporting Thresholds for substances that not exempted?
  - How do I report?
- Follow-up
- Questions/Discussion

# Background

## Bhopal, India

- Union Carbide plant
- Methylisocyanate (MIC)
- 2,500 deaths & >10,000 injured

Dec. 1984

Aug. 1985

## Institute, West Virginia

- Union Carbide plant
- methylene chloride & aldicarb
- 135 people treated

BBC NEWS



# Background Continued

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In response, Congress  
passed the Superfund  
Amendments and  
Reauthorization Act of 1986

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[42 USC 11001 et seq.]

# Background Continued

Title III of the Superfund Amendments  
and Reauthorization Act of 1986 (SARA  
Title III)

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Emergency Planning and Community  
Right-To-Know Act (EPCRA)

# Background Continued

EPCRA establishes the right for the public to know about chemical storage in the local community;



EPCRA requires local governments to form Local Emergency Planning Committees (LEPC's) & plan for emergencies.



EPCRA requires facilities to:

Participate in Emergency  
Planning

Submit/Report hazardous  
material information



# Reporting

## Reports:

Section 302/303 reports

Section 311 reports

Tier II reports (Section 312)

Spill/Release reports (Section 304)

Toxic Release Inventory (TRI)  
reports (Section 313)

# Storage Reports (Tier II (312) and 311)

## Tier II Report (Section 312)

- Annual report - Due March 1
- Submit to state, Fire Department, & Local Emergency Planning Committee (LEPC)/Emergency Manager

## Inventory Report (Section 311)

- One time submittal - Due within 90 days of beginning new reportable storage
- Submit to state, Fire Department, & LEPC/ Emergency Manager

# Storage Reports (Tier II (312) and 311)

## Who may need to report?

Any facility that is required to maintain Safety Data Sheets (SDS) under the Occupational Safety and Health Administration (OSHA) regulations for hazardous chemicals stored or used in the workplace.

As long as that facility stores enough of a reportable substance.

24-hour telephone

: 1-866-734-3438

### Section 2. Hazards identification

OSHA/HCS status

: This material is considered hazardous by the OSHA Hazard Communication Standard (29 CFR 1910.1200).



# Storage Reports (Tier II (312) and 311)

## Is anything exempt from reporting?

- Solids - when exposure will not occur during use;
- Substances used for household purposes, or packaged in the same form & concentration as when used in a home;
- Substances used in a research laboratory or a hospital under the direct supervision of a technically qualified individual;
- Agricultural chemicals a farmer stores & uses on his/her own farm;
- Fertilizer held for retail sale for agricultural use;
- Substances are not reportable while in transit;
- Food and Drug Administration regulated foods, food additives, drugs, or cosmetics;
- Substances stored at facilities that are not subject to OSHA;
- Substances that pose no physical or health hazards; and
- Substances that are not regulated by OSHA.

# Fertilizer Exemption

Fertilizer held for retail sale is exempt.

Fertilizer or chemicals that are being used to blend or mix a fertilizer are reportable.

<https://danr.sd.gov/Agriculture/Inspection/SARATitle3/docs/Fact%20Sheet%20%20EPCRA%20Reporting%20Requirements%20for%20Fertilizer%20Retailers.pdf>

# Storage Reports (Tier II (312) and 311)

## What are the Reporting Thresholds for substances that are not exempt?

### Gasoline (all grades combined):

- Aboveground or Underground tanks at non-retail facilities - 10,000 pounds;
- Underground tanks holding fuel for retail sale to the public for motor vehicles on land - 75,000 gallons;

### Diesel (all grades combined):

- Aboveground or Underground tanks at non-retail facilities - 10,000 pounds;
- Underground tanks holding fuel for retail sale to the public for motor vehicles on land - 100,000 gallons;

### Other substances for which you are required by OSHA, to maintain a SDS

- 10,000 pounds

### Extremely Hazardous Substances (EHS):

- 500 pounds (or the Threshold Planning Quantity (TPQ)).



# Storage Reports (Tier II (312) and 311)

How do I know if something is an Extremely Hazardous Substance (EHS) ?

- Look at your Safety Data Sheet (SDS) and the “List of Lists” document

How do I figure out the Threshold Planning Quantity (TPQ)?

- Look up the Section 302 (EHS) TPQ column in the “List of Lists” document
- Your TPQ is that number or 500 lbs, whichever is less.

# Storage Reports (Tier II (312) and 311)

## CAS number/other identifiers

CAS number : 7782-50-5

Ingredient name	%	CAS number
chlorine	100	7782-50-5

Safety Data Sheet (SDS):  
(Always use the most current version)

- Ingredients - Section 3

# Storage Reports (Tier II (312) and 311)

NAME	CAS/313 Category Codes	Section 302 (EHS) TPQ	Section 304 EHS RQ	CERCLA RQ	Section 313	RCRA CODE	CAA 112(r) TQ
Carbon oxide sulfide (COS)	463-58-1			100	X		10,000
Carbon tetrachloride	56-23-5			10	313	U211	
Carbonyl sulfide	463-58-1			100	313		10,000
Carbophenothion	786-19-6	500	500				
Carbosulfan	55285-14-8			1,000		P189	
Carboxin	5234-68-4				313		
Catechol	120-80-9			100	313		
CFC-11	75-69-4			5,000	X	U121	
CFC-12	75-71-8			5,000	X	U075	
CFC-114	76-14-2				X		
CFC-115	76-15-3				X		
CFC-13	75-72-9				X		
Chinomethionat	2439-01-2				313		
Chloramben	133-90-4			100	313		
Chlorambucil	305-03-3			10		U035	
Chlordane	57-74-9	1,000	1	1	313	U036	
Chlordane (Technical Mixture and Metabolites)	N.A.			&			
Chlorendic acid	115-28-6				313		
Chlorfenvinfos	470-90-6	500	500				
Chlorimuron ethyl	90982-32-4				313		
Chlorinated Benzenes	N.A.			&			
Chlorinated Ethanes	N.A.			&			
Chlorinated Naphthalene	N.A.			&			
Chlorinated Phenols	N084			&	313		
Chlorine	7782-50-5	100	10	10	313		2,500
Chlorine dioxide	10049-04-4				313		1,000
Chlorine monoxide	7791-21-1						10,000
Chlorine oxide	7791-21-1						10,000
Chlorine oxide (ClO2)	10049-04-4				X		1,000
Chlormenbos	24934-91-6	500	500				



# Storage Reports (Tier II (312) and 311

How do I report?

# Storage Reports (Tier II (312) and 311

Two options:

Paper

Online: <https://apps.sd.gov/NR44TierII/Login.aspx>

Tier Two Emergency and Hazardous Chemical Inventory				State ID#:																																											
<b>Facility Identification</b>																																															
Facility Name			Maximum Number of Occupants: <input type="checkbox"/> N/A		<input type="checkbox"/> Manned <input type="checkbox"/> Unmanned																																										
Street (location)		County	City	State	Zip																																										
Latitude		Longitude	NAICS Code	SD Facility Phone # (optional)																																											
DUN & Bradstreet #		TRI Facility ID: <input type="checkbox"/> N/A		Risk Facility ID: <input type="checkbox"/> N/A																																											
Subject to Emergency Planning under Section 302 of EPCRA (40 CFR part 355)? <input type="checkbox"/> Yes <input type="checkbox"/> No																																															
Subject to Chemical Accident Prevention under Section 112(r) of CAA (40 CFR part 68, Risk Management Program)? <input type="checkbox"/> Yes <input type="checkbox"/> No																																															
<b>Owner or Operator Information</b>			<b>Parent Company Information (optional)</b>																																												
Company Name			Company Name DUN & Bradstreet #																																												
Mail Address			Mail Address																																												
Phone Number		Email	Phone Number		Email																																										
<b>Facility Emergency Coordinator</b>			<b>Tier II Information Contact</b>																																												
Contact Person Name			Contact Person Name Title																																												
Title			Mail Address																																												
Phone Number (work)			Phone Number (work)																																												
Phone Number (24-hour)			Phone Number (24-hour)																																												
Email			Email																																												
<b>Emergency Contacts</b>																																															
Name Title			Name Title																																												
Phone Number (work)		Phone Number (24-hour)	Phone Number (work)		Phone Number (24-hour)																																										
Email Address			Email Address																																												
<b>Certification (Read and sign after completing all sections)</b>			<b>Range Codes</b> For reference only - Refer to these codes when completing the Chemical Page(s) of your report																																												
I certify, under penalty of law that I have personally examined and am familiar with all information submitted in pages one through _____, and based on my inquiry of the individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.			<table border="1" style="width: 100%; border-collapse: collapse;"> <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><td>500 pounds</td><td>999 pounds</td></tr> <tr><td>04</td><td>1,000 pounds</td><td>4,999 pounds</td></tr> <tr><td>05</td><td>5,000 pounds</td><td>9,999 pounds</td></tr> <tr><td>06</td><td>10,000 pounds</td><td>24,999 pounds</td></tr> <tr><td>07</td><td>25,000 pounds</td><td>49,999 pounds</td></tr> <tr><td>08</td><td>50,000 pounds</td><td>74,999 pounds</td></tr> <tr><td>09</td><td>75,000 pounds</td><td>99,999 pounds</td></tr> <tr><td>10</td><td>100,000 pounds</td><td>499,999 pounds</td></tr> <tr><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>			Range Code	From	To	01	0 pounds	99 pounds	02	100 pounds	499 pounds	03	500 pounds	999 pounds	04	1,000 pounds	4,999 pounds	05	5,000 pounds	9,999 pounds	06	10,000 pounds	24,999 pounds	07	25,000 pounds	49,999 pounds	08	50,000 pounds	74,999 pounds	09	75,000 pounds	99,999 pounds	10	100,000 pounds	499,999 pounds	11	500,000 pounds	999,999 pounds	12	1,000,000 pounds	9,999,999 pounds	13	10,000,000 pounds	Greater than 10 million pounds
			Range Code	From	To																																										
01	0 pounds	99 pounds																																													
02	100 pounds	499 pounds																																													
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04	1,000 pounds	4,999 pounds																																													
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11	500,000 pounds	999,999 pounds																																													
12	1,000,000 pounds	9,999,999 pounds																																													
13	10,000,000 pounds	Greater than 10 million pounds																																													
Name and title Owner/operator or owner/operator's authorized representative																																															
Signature																																															
Date Signed																																															





Page _____ of _____		Tier II – Specific Information by Chemical				State ID#:		
Chemical Description		Physical Hazards	Health Hazards	Inventory	Type of Storage	Storage Conditions	Storage Locations	Additional Information (Optional)
<input type="checkbox"/> Pure Chemical or <input type="checkbox"/> Mixture or Product Mixture  Name: _____  CAS #: _____ <input type="checkbox"/> CAS not available  <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> Trade Secret  Chemical is (or mixture contains) an Extremely Hazardous Substance (EHS) <input type="checkbox"/> Yes <input type="checkbox"/> No  EHS Name(s) (if you checked "yes" above): _____ If this is a mixture, weight of the EHS portion (range code*): _____  Non EHS Name(s) (optional): _____		<input type="checkbox"/> Explosive <input type="checkbox"/> Flammable (gases, aerosols, liquids, or solids) <input type="checkbox"/> Oxidizer (liquid, solid or gas) <input type="checkbox"/> Self-reactive <input type="checkbox"/> Pyrophoric (liquid or solid) <input type="checkbox"/> Pyrophoric gas <input type="checkbox"/> Self-heating <input type="checkbox"/> Organic peroxide <input type="checkbox"/> Corrosive to metal <input type="checkbox"/> Gas under pressure (compressed gas) <input type="checkbox"/> In contact with water emits flammable gas <input type="checkbox"/> Combustible dust <input type="checkbox"/> Hazard not otherwise classified <input type="checkbox"/> No Hazard	<input type="checkbox"/> Acute toxicity (any route of exposure) <input type="checkbox"/> Skin corrosion or irritation <input type="checkbox"/> Serious eye damage or eye irritation <input type="checkbox"/> Respiratory or skin sensitization <input type="checkbox"/> Germ cell mutagenicity <input type="checkbox"/> Carcinogenicity <input type="checkbox"/> Reproductive toxicity <input type="checkbox"/> Specific target organ toxicity (single or repeated exposure) <input type="checkbox"/> Aspiration hazard <input type="checkbox"/> Simple asphyxiant <input type="checkbox"/> Hazard not otherwise classified <input type="checkbox"/> No Hazard	Maximum Stored: _____ <input type="checkbox"/> gallons <input type="checkbox"/> pounds  Average Stored: _____ <input type="checkbox"/> gallons <input type="checkbox"/> pounds  Range Code* for maximum stored: _____  Range Code* for average stored: _____  Number of Days On Site: _____	<input type="checkbox"/> AST <input type="checkbox"/> UST <input type="checkbox"/> Tank in building <input type="checkbox"/> Steel drum <input type="checkbox"/> Plastic drum <input type="checkbox"/> Can <input type="checkbox"/> Carboy <input type="checkbox"/> Silo <input type="checkbox"/> Fiber drum <input type="checkbox"/> Bag <input type="checkbox"/> Box <input type="checkbox"/> Cylinder <input type="checkbox"/> Glass bottle/jug <input type="checkbox"/> Plastic bottle/jug <input type="checkbox"/> Tote bin <input type="checkbox"/> Tank wagon <input type="checkbox"/> Rail car <input type="checkbox"/> Battery <input type="checkbox"/> Other	Pressure: <input type="checkbox"/> Ambient <input type="checkbox"/> Greater than ambient <input type="checkbox"/> Less than ambient  Temperature: <input type="checkbox"/> Ambient <input type="checkbox"/> Greater than ambient <input type="checkbox"/> Less than ambient but not cryogenic <input type="checkbox"/> Cryogenic	Confidential? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, a confidential location information sheet MUST also be submitted)	Size of largest container:  <input type="checkbox"/> Chemical is fertilizer you use to make custom blends  Voluntary Reports: <input type="checkbox"/> Amount stored is less than the reporting threshold <input type="checkbox"/> Chemical is a fertilizer you do not make onsite & do not use to make custom blends <input type="checkbox"/> Other explain: _____
<input type="checkbox"/> Pure Chemical or <input type="checkbox"/> Mixture or Product Mixture  Name: _____  CAS #: _____ <input type="checkbox"/> CAS not available  <input type="checkbox"/> Solid <input type="checkbox"/> Liquid <input type="checkbox"/> Gas <input type="checkbox"/> Trade Secret  Chemical is (or mixture contains) an Extremely Hazardous Substance (EHS) <input type="checkbox"/> Yes <input type="checkbox"/> No  EHS Name(s) (if you checked "yes" above): _____ If this is a mixture, weight of the EHS portion (range code*): _____  Non EHS Name(s) (optional): _____		<input type="checkbox"/> Explosive <input type="checkbox"/> Flammable (gases, aerosols, liquids, or solids) <input type="checkbox"/> Oxidizer (liquid, solid or gas) <input type="checkbox"/> Self-reactive <input type="checkbox"/> Pyrophoric (liquid or solid) <input type="checkbox"/> Pyrophoric gas <input type="checkbox"/> Self-heating <input type="checkbox"/> Organic peroxide <input type="checkbox"/> Corrosive to metal <input type="checkbox"/> Gas under pressure (compressed gas) <input type="checkbox"/> In contact with water emits flammable gas <input type="checkbox"/> Combustible dust <input type="checkbox"/> Hazard not otherwise classified <input type="checkbox"/> No Hazard	<input type="checkbox"/> Acute toxicity (any route of exposure) <input type="checkbox"/> Skin corrosion or irritation <input type="checkbox"/> Serious eye damage or eye irritation <input type="checkbox"/> Respiratory or skin sensitization <input type="checkbox"/> Germ cell mutagenicity <input type="checkbox"/> Carcinogenicity <input type="checkbox"/> Reproductive toxicity <input type="checkbox"/> Specific target organ toxicity (single or repeated exposure) <input type="checkbox"/> Aspiration hazard <input type="checkbox"/> Simple asphyxiant <input type="checkbox"/> Hazard not otherwise classified <input type="checkbox"/> No Hazard	Maximum Stored: _____ <input type="checkbox"/> gallons <input type="checkbox"/> pounds  Average Stored: _____ <input type="checkbox"/> gallons <input type="checkbox"/> pounds  Range Code* for maximum stored: _____  Range Code* for average stored: _____  Number of Days On Site: _____	<input type="checkbox"/> AST <input type="checkbox"/> UST <input type="checkbox"/> Tank in building <input type="checkbox"/> Steel drum <input type="checkbox"/> Plastic drum <input type="checkbox"/> Can <input type="checkbox"/> Carboy <input type="checkbox"/> Silo <input type="checkbox"/> Fiber drum <input type="checkbox"/> Bag <input type="checkbox"/> Box <input type="checkbox"/> Cylinder <input type="checkbox"/> Glass bottle/jug <input type="checkbox"/> Plastic bottle/jug <input type="checkbox"/> Tote bin <input type="checkbox"/> Tank wagon <input type="checkbox"/> Rail car <input type="checkbox"/> Battery <input type="checkbox"/> Other	Pressure: <input type="checkbox"/> Ambient <input type="checkbox"/> Greater than ambient <input type="checkbox"/> Less than ambient  Temperature: <input type="checkbox"/> Ambient <input type="checkbox"/> Greater than ambient <input type="checkbox"/> Less than ambient but not cryogenic <input type="checkbox"/> Cryogenic	Confidential? <input type="checkbox"/> No <input type="checkbox"/> Yes (If yes, a confidential location information sheet MUST also be submitted)	Size of largest container:  <input type="checkbox"/> Chemical is fertilizer you use to make custom blends  Voluntary Reports: <input type="checkbox"/> Amount stored is less than the reporting threshold <input type="checkbox"/> Chemical is a fertilizer you do not make onsite & do not use to make custom blends <input type="checkbox"/> Other explain: _____

\*Find range codes on page 1 of the Tier II report (bottom right hand corner). Determine the weight of your chemical in pounds, then report (write down) the corresponding range code.

Optional Attachments: ☐ list of site coordinate abbreviations (key) ☐ description of dikes & other safeguard measures ☐ site plan ☐ map ☐ other: \_\_\_\_\_

# Follow Up

**AFTER I SUBMIT  
THESE  
REPORTS, WHAT  
HAPPENS NEXT?**

**DOES ANYONE  
LOOK AT THE  
DATA?**

# Follow Up

INFORMATION AVAILABLE ONLINE:



[HTTPS://APPS.SD.GOV/NR42INTERACTIVEMAP#](https://apps.sd.gov/NR42INTERACTIVEMAP#)

# Follow Up

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The Fire Department and the Local Emergency Planning Committee (LEPC) use storage information provided by you, to plan for emergency events.

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In South Dakota, most of our first responders are volunteers.

Our first responders have little free time, and their training is geared towards common structure fires.

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Your participation is vital



# Follow Up

- Your facility emergency coordinator should work with the local planners and responders, to ensure they know where chemicals are stored, and to verify they know and understand the potential hazards posed by the substance(s) you store.
- Discuss response options with local responders.
- Volunteer to hold a LEPC meeting at your facility.
- Invite responders to do a walk through.
- Repeat (personnel change and memories are short).

# SARA Title III Contacts



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Questions?

