

# 2024 Tier II Reporting Guide

## Tier II Emergency and Hazardous Chemical Inventory Reports

### Paper Report Forms

### for Calendar Year 2023

Due March 1, 2024

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## WHO MUST SUBMIT A TIER II REPORT?

A facility is subject to Tier II reporting requirements if that facility is required under the Occupational Safety and Health Act of 1970, to prepare or have available Safety Data Sheets (SDS) for hazardous chemical(s) present on-site. SDS 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.

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## REPORTABLE CHEMICALS

### THRESHOLDS

If a chemical is not excluded (listed below), report if at any time during 2023, storage was in an amount equal to or exceeding the following:

- Gasoline or diesel (all grades combined) in aboveground tanks (ASTs) – 10,000 pounds;
- Gasoline or diesel (all grades combined) in underground tanks (USTs) at non-retail facilities – 10,000 pounds;
- Gasoline (all grades combined) in USTs, when fuel is for retail sale to the public for motor vehicles on land – 75,000 gallons;
- Diesel fuel (all grades combined) in USTs, when fuel is for retail sale to the public for motor vehicles on land – 100,000 gallons;
- Extremely Hazardous Substances (EHSs) –  
The lessor of 500 pounds or the threshold planning quantity (TPQ); and

*Links to the list of EHSs and TPQs is available online:  
<https://danr.sd.gov/Agriculture/Inspection/Tier2>*

*Note: If a EHS is present in more than one product that you store, determine the amount of EHS in each product then add together to see if the combined total amount meets the threshold*

- All other OSHA Hazardous chemicals (as defined under 29 CFR 1910.1200(c)) – 10,000 pounds.

### EXCLUSIONS/EXEMPTIONS

The following are excluded/exempted 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 a solid powder that poses an inhalation hazard or a pellet that poses dermal contact hazard may not be exempt);
- Food and Drug Administration regulated foods, food additives, drugs, or cosmetics;

- A substance used for household purposes, or packaged in the same form and concentration as when used for household purposes –  
For example, gallon jugs of herbicide sold to homeowners for use on residential lawns are exempt;
  - Substances used in a research laboratory or hospital under the direct supervision of a technically qualified individual –  
For example, oxygen used for medical use at a hospital is exempt, but helicopter fuel stored at the hospital is reportable;
  - Substances a farmer stores/uses in routine agricultural operations on his/her farm –  
For example, storage of pesticide a farmer sprays own fields is exempt but if a farmer operates another business, chemical storage associated with that other business may not be exempt and may be reportable;
  - 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 manufacturer or wholesaler. Facilities making custom blends should review the fertilizer reporting links on the state Title III webpage:  
<https://danr.sd.gov/Agriculture/Inspection/Tier2>;
  - A chemical is not reportable while in transit –  
Note: The chemical may be reportable when at the origin and destination;
  - A chemical that poses no physical or health hazards –  
If the SDS indicates there are no physical or health hazards, the chemical may be exempt. However, be aware if the SDS reads “Hazard not otherwise classified,” this means there is a hazard and the chemical may be reportable; and
  - Substances stored at facilities that are not subject to OSHA;
- 

## REPORTING OPTIONS

### Option 1: South Dakota Online Reporting Option

The preferred option is online report submittal. To report online, simply log in, review/update, save changes, e-sign, and print copies of your report.

If a Tier II report was submitted for the facility in the past (even a paper report submittal), the information from that report has been pre-entered into the online reporting system. This means it is often faster and easier to report on-line vs. a paper report form.

#### Log in procedure

1. Go to the Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>).
2. Click “**SD Online Tier II Reporting Login Page**”
  - a. Enter your email address and your password;

If you do not have a password, try the “Lost or Forgotten Password” feature on the login page.  
If you cannot log in, contact DANR at (800) 433-2288.

- b. Check the “I’m not a robot” box (for security purposes you may be prompted to perform a task such as selecting certain images – when your task is completed, a check will appear in the “I’m not a robot” box); and
- c. Click the “Login” button.

### **Reporting instructions/guidance**

After you log in, your screen should say “Welcome to the online Tier II submittal website.” You should see links to a “Tier II Reporting Guide,” a “Visual Guidance to Online Tier II Reporting,” and other helpful information. You may find these documents are helpful, especially if this is your first time completing your online report. You can view and/or print those documents.

At the bottom of the webpage, you should see a list of the facilities for which your company has submitted Tier II reports in the past. If you have storage facilities that are not on the list, call Kelsey at (800) 433-2288 to have the missing facilities added to your account.

## **Option 2: Paper Report Form**

The state does accept hard copy/paper Tier II report submittals made on either the South Dakota or federal Tier II reporting form. The paper report consists of two pages. One page is for information such as the facility location and contact names. The second page is for information about chemical storage.

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## **INSTRUCTIONS - COMPLETING A HARD COPY TIER II REPORT FORM**

*Note – The instructions in this Reporting Guide apply to completion of the hard copy/paper form Tier II report. If submitting your report online, follow the instructions provided online.*

Tier II reports submitted using paper forms must, at a minimum, consist of 2 pages. The first page is for information such as the facility location, contact names, and telephone numbers. The second page is for information about chemical storage.

Storage at different facilities cannot be combined into one Tier II report. A separate Tier II report must be submitted for each different facility. However, adjoining facilities or facilities on opposite sides of a road may be considered one facility.

If you need additional copies of the paper reporting form, print copies from the Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>), or request copies by calling Kelsey at (800) 433-2288.

# HARD COPY TIER II REPORT FORM - PAGE ONE

## TIER TWO EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY

### Page 1 of \_\_\_\_\_:

This section is found on the upper left side of the form. After you complete all pages of your report, return to this section and indicate how many total pages are in the submittal.

### Reporting Period:

This section is on the upper right side of the form. Fill in the reporting period, which is for the prior calendar year (January 1 through December 31, 2023).

### State ID #:

This section is in a box at the top of the page, on the right side. The ID Number remains the same even after facility ownership changes. The ID # is two letters followed by four numbers (example: ML 0901). Enter the ID # for your facility. If this is the first Tier II to be filed, or if you don't know the ID#, call Kelsey at (800) 433-2288 to obtain an ID #.

### Facility Identification:

Provide information for the **actual physical location** of the storage facility.

- **Facility Name:** Name of the storage facility.
- **Maximum Number of Occupants:** Estimate the maximum number of people who may be present at any one time at the facility as a whole. Include contactors, vendors, customers, employees, etc. If this is an unmanned facility, check N/A.
- **Manned/Unmanned:** Check to indicate whether the facility is manned or unmanned. A facility is manned if employees are on-site part of the day or year. The "unmanned" box should only be checked if the facility is not manned.
- **Street:** Street address for the actual physical location of the storage facility.
- **County:** Name of the county where the storage facility is actually located.
- **City, State, Zip:** City, state, and zip code for where the storage facility is located.
- **Latitude and Longitude:** You may find latitude/longitude via a paper or electronic map.

One option is the use of Google maps:  
If using your computer - place the cursor over the facility, then right click. A pop-up box should open and Latitude/Longitude should be provided.  
If using a phone –drop a pin - Latitude/Longitude should be provided.

- **NAICS Code:** The NAICS (North American Industry Classification System) code classifies a facility by type of business/industry. If you don't know your code, ask your business office or search the NAICS website.

Links to the NAICS website are provided on the DANR webpage:  
<https://danr.sd.gov/Agriculture/Inspection/Tier2>  
 If you know the SIC code for the facility, use the **SIC Code/NAICS Code Crosswalk** to find the NAICS code. If you do not know the SIC code, use the **NAICS Keyword Search** to find the NAICS code. For example: if a facility stores bulk fuel, try searching with keyword "bulk fuel" ...or if a facility sells agricultural chemical, try searching by "pesticide sale" or "farm supplies."

- Facility Phone # (optional): Telephone number for the facility (optional).
- Dun & Bradstreet #: Ask your financial officer if the company has a Dun & Bradstreet number. Leave blank if not applicable.
- TRI Facility ID: If a Toxic Release Inventory (TRI)/Section 313 report has ever been filed for the facility, enter the TRI ID number. Leave blank if not applicable.
- RMP Facility ID: If the facility has a Risk Management Plan (RMP), enter the RMP facility ID. Leave blank if not applicable. For information about this federal program, view the EPA website ([www.epa.gov/rmp/risk-management-plan-rmp-rule-overview](http://www.epa.gov/rmp/risk-management-plan-rmp-rule-overview)) or contact the US EPA in Denver (Bre Bockstahler at (303) 312-6034).
- Subject to Emergency Planning under Section 302 of EPCRA (40 CFR part 355): Check “Yes” if the facility is subject to Section 302 of EPCRA.

A facility is subject to Section 302 if Extremely Hazardous Substance (EHS) storage is greater than or equal to the Threshold Planning Quantity (TPQ).

Links to the EHS list and the TPQ's are available on the state Title III webpage: <https://danr.sd.gov/Agriculture/Inspection/Tier2>.

- Subject to Chemical Accident Prevention under Section 112 of CAA (40 CFR part 68, Risk Management Program): Check “Yes” if the facility is required to have a Risk Management Plan (RMP).

#### **Owner or Operator Information:**

The information in this section is used to identify the owner of the storage facility. Enter the name of the owner/company along with a mailing address and telephone number. Please also enter an email address (if applicable).

#### **Parent Company Information (optional):**

Provide information for a parent company (if applicable). Enter the company name, mail address, phone, email, and Dun & Bradstreet number (if applicable).

#### **Facility Emergency Coordinator:**

Enter the name of the Facility Emergency Coordinator, along with a title, work phone number, 24-hour phone number, and email address. A facility MUST have an emergency coordinator if you checked yes, in answer to the question “Subject to Emergency Planning under Section 302 of EPCRA (40 CFR part 355)”

A facility is subject to Section 302 if Extremely Hazardous Substance (EHS) storage is greater than or equal to the Threshold Planning Quantity (TPQ).

A link to the EHS list and the TPQ's is available on the state Title III webpage: <https://danr.sd.gov/Agriculture/Inspection/Tier2>.

#### **Tier II Information Contact:**

The information in this section is used to identify the individual who is responsible for preparing, submitting, and answering questions about the Tier II report. Enter the name, title, telephone number, email, and complete mailing address. **Note: all future correspondence and any invoices will be sent to this contact person/address.**

**Emergency Contacts:**

Provide information for two emergency contacts. Enter names, titles, work phone numbers, 24-hour phone numbers, and email addresses for 2 individuals who are points of contact for emergency responders when responding to a chemical incident at the facility.

**Certification:**

After you have completed this page AND the chemical reporting page(s), review for accuracy. Indicate how many pages are in your submittal. The owner, operator, or the authorized representative must certify that all information is true, accurate, and complete by printing their name and title and by signing and dating the form.

**HARD COPY TIER II REPORT FORM - PAGE TWO –  
TIER II SPECIFIC INFORMATION BY CHEMICAL**

Make sure you have the SDS for each chemical when completing this portion of the Tier II report. Your chemical supplier should be able to provide a SDS upon request.

You can report up to two chemicals per page. When you store and are reporting for more than two reportable chemicals, you must use/add additional copies of this page to your report. If you need additional copies you can either request copies by calling DANR at (800) 433-2288, or you can print copies from the Title III webpage: <https://danr.sd.gov/Agriculture/Inspection/Tier2>.

**Page \_\_\_\_ of \_\_\_\_:**

This section is on the upper left side of the page, number each page of your report.

**State ID #:**

This section is in a box at the top of the page, on the right side. When an ID number is assigned to a facility, it remains the same even after facility ownership changes. The State ID # is two letters followed by four numbers (example: ML 0901). Enter the ID number for your facility. If this is the first Tier II to be filed for a facility, or if you don't know the State ID#, call DANR at (800) 433-2288 to obtain the ID number.

**IMPORTANT – Add the State ID # to the top of EVERY page. If you fail to do so, and if pages of your submittal become separated, it may appear you filed an inaccurate report.**

**Chemical Description Section:**

See the “Reportable Chemicals” section on pages 2 and 3 of this Reporting Guide, and Review the “Exclusions” and “Thresholds.”

- Pure Chemical/Mixture or Product Mixture: Check the box indicating whether the chemical is pure (99-100% by volume) or a mixture of two or more ingredients;
- Name: Enter the name of the product (it is recommended you enter product name as written on the SDS);
- CAS #: Enter the Chemical Abstract Service (CAS) registry number. This number is found on the SDS. A pure product will have a single CAS number. A product that is a mixture of different chemicals may not have a CAS# for the mixture as a whole;
- Solid, Liquid, or Gas?: Check the box indicating whether your chemical is solid, liquid, or gas. NOTE: “Gas” refers to a gaseous substance such as propane or ammonia;

- **Trade Secret?:** If a substance you store is a trade secret, you must submit a trade secret substantiation form with your Tier II report. Call DANR at (800) 433-2288, to obtain a copy of the trade secret substantiation form. When you file that form, proceed with your Tier II report by checking the “Trade Secret” box and entering a generic chemical name on the Tier II report;
- **Chemical is (or mixture contains) an Extremely Hazardous Substance (EHS):** Check “Yes” if the chemical is (or if the mixture contains) an EHS. Compare chemicals listed in the SDS with chemicals on the EHS list. If a chemical is not on the EHS list, it is not an EHS. Check “No” if the chemical is not (or mixture does not contain) an EHS.

Links to the EHS list and the TPQ’s are available on the state Title III webpage: <https://danr.sd.gov/Agriculture/Inspection/Tier2>.

- **EHS Name(s):** If you checked “Yes” above, to indicate the chemical is (or the mixture contains) an EHS, enter the name of the EHS chemical(s).
- **If this is a mixture, weight of the EHS portion (range code):** Enter a range code if the chemical is a mixture containing an EHS.

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

See “How to Calculate or Find Product Weight in Pounds” on page 11 of this Reporting Guide, for assistance with calculating the weight of an EHS ingredient in a product mixture.

- **Non-EHS Name(s) (optional):** Enter names of non-EHS ingredients.

**Physical Hazards:**

See the instructions for the “Health Hazards” section below.

**Health Hazards:**

Check the applicable boxes to indicate risks posed by the chemical - see the “Hazard Identification” section of the SDS (usually this is section 2 of the SDS).

- Note: “Hazard not otherwise classified” means a hazard **DOES** exist, but does not fit into any other listed hazard categories.
- If the SDS states the product/chemical substance poses no physical or health hazards, check the “No Hazard” checkbox on the form.

**Inventory:**

- **Maximum Stored:** The largest quantity/inventory stored at any point during the year. Enter the amount and check either “gallons” or “pounds” to indicate whether the number you entered was in pounds or gallons.
- **Average Stored:** The average quantity/inventory stored during the year. Enter the amount and check either “gallons” or “pounds” to indicate whether the number you entered was in pounds or gallons.





- **Range Code for Maximum Stored:** Select the range code that corresponds to the maximum storage quantity you reported – NOTE range code numbers are in pounds.

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

If you are reporting the amounts stored in gallons, you MUST convert gallons to pounds so you can choose the correct range code. See “How to Calculate or Find Product Weight in Pounds” on page 11 of this Reporting Guide. After you convert gallons to pounds, select the correct range code.

- **Range Code for Average Stored:** Select the range code that corresponds to the Average storage quantity you reported.
- **Number of Days on Site:** The number of days during the year during which the substance was stored on-site.

**Type of Storage (check all that apply) Section:**

Select all applicable type(s) of storage container(s).

**Storage Conditions:**

- 1) **Pressure:** Select the applicable pressure condition. Note: Ambient means the same as surrounding area. Most storage is at ambient pressure. Gases stored in high-pressure containers are at greater than ambient.
- 2) **Temperature:** Select the applicable temperature condition. Ambient means the same as surrounding air. Most storage is at ambient temperature. Tanks that are heated are at greater than ambient. Tanks that are cooled are less than ambient. Gases may be stored under cryogenic conditions (-130 F or less).

**Storage Locations:**

Write in a short description for where at the facility the chemical is stored. If the storage location is confidential, check the box indicating storage is confidential and submit a confidential storage location sheet. Contact DANR by calling (800) 433-2288 to obtain a copy of the confidential storage location sheet.

**Additional Reporting Information (Optional) Section:**

- Make a note of any additional information that may be helpful for first responders;
- Indicate the size of the largest storage container;
- Check whether or not 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 box for the most applicable reason.

**Optional Attachment Section:**

Please submit copies of the site plan, safety measures, a facility map/floorplan, a key, or any other additional information such as SDS, and check the appropriate box(s).

## SUBMITTAL – TIER II REPORT

Copies of your Tier II report MUST be submitted to the following:

1. **Local Fire Department**
2. **Local Emergency Planning Committee (LEPC)**  
Addresses are listed on the SD Title III webpage  
(<https://danr.sd.gov/Agriculture/Inspection/Tier2>)
3. **State of South Dakota/State Emergency Response Commission (SERC)**
  - a. Email: [kelsey.newling@state.sd.us](mailto:kelsey.newling@state.sd.us)
  - b. Mail address: PMB 2020  
SD DANR – SERC  
Pierre, SD 57501-3182

Keep one page/copy of the report for your records – Make sure all copies are easy to read.

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## FEE

**When is the fee due?** The Tier II Report Form is due March 1, 2024, but the fee is not due until April 1, 2024. Payments postmarked after April 1, 2024, are late. Late fees may apply.

**Where can I find the fee form?** In most cases, the fee will be calculated, and an invoice mailed to you, within 10 days of DANR receipt of the Tier II report. DANR will send the invoice to the person/address listed as the Tier II Information Contact.

**Where is the invoice sent?** All invoices will be sent to the Tier II information Contact person/Tier II information Contact address you identified on Page 1 of your Tier II submittal.

**If you do not receive an invoice, send an email ([kelsey.newling@state.sd.us](mailto:kelsey.newling@state.sd.us)) or call (800) 433-2288. You are responsible for making sure the fee is paid prior to April 1, 2024.**

**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 contact DANR via email ([kelsey.newling@state.sd.us](mailto:kelsey.newling@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<sup>st</sup>. A \$15 penalty applies to fees of \$150 or less and 10% penalty applies to fees of \$200 or more.

## HOW TO CALCULATE OR FIND PRODUCT WEIGHT IN POUNDS

There are several options for finding weight of a product:

1. Your supplier may know the weight in pounds;
2. Check your SDS - Section 9 may give the lbs/gallon;
3. Check the product label or container label as a weight may be provided;
4. Find a conversion formula online (For compressed gases, try this chart: [https://danr.sd.gov/Agriculture/Inspection/Spills/docs/Conversion\\_Tables.pdf](https://danr.sd.gov/Agriculture/Inspection/Spills/docs/Conversion_Tables.pdf));
5. For liquids, you may calculate the weight in pounds by using Specific Gravity (SG) or Relative Density (RD):

Many SDS will provide a SG or RD number in section 9. The number you find will usually be between 0.1 and 2.

Example calculation when you store 1,000 total gallons of liquid and the SG or RD is 1.5:

1. First, multiply SG or RD by 8.3:  
 $(1.5 \times 8.3) = 12.5$  pounds per gallon
2. Then, multiply the pounds per gallon by the total gallons stored:  
 $(12.5 \times 1,000) = 12,500$  pounds of product

How to calculate the weight of an EHS ingredient in a product mixture:

(to determine if you store a reportable amount of a EHS)

- 1) Determine the total weight of the entire product mixture in pounds (see above);
- 2) Find the percent by weight for the ingredient - see section 3 of your SDS;

Example calculation when the entire product mixture weighs 12,500 pounds and the EHS ingredient is 20% of the mixture:

- Multiply the total weight of the entire product mixture by the percent of the EHS ingredient  
 $((12,500 \times 20)/100) = 2,500$  pounds of EHS in the mixture  
or  
 $(12,500 \times .2) = 2,500$  pounds of EHS in the mixture

If you require assistance, contact DANR at [kelsey.newling@state.sd.us](mailto:kelsey.newling@state.sd.us) or call (800) 433-2288.

## FREQUENTLY ASKED QUESTIONS

**I have reporting question. Who can help me?** Contact Kelsey Newling. E-mail: [kelsey.newling@state.sd.us](mailto:kelsey.newling@state.sd.us) or phone: (800) 433-2288. Also, see the SD Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/SaraTitle3>).

**Where can I find online answers to reporting questions?** The federal EPA has a very useful online Q&A tool where you can search for answers to reporting questions: <https://www.epa.gov/faqs/search/topics/emergency-planning-and-community-right-know-304487>

**Where can I find information about the federal law?** Information may be found online at: <https://www.epa.gov/epcra/epcra-sections-311-312>

**Where can I find a list of all Tier II reportable chemicals?** There is NO list of all reportable chemicals. Information about thresholds and excluded chemicals is provided on pages 2 and 3 of this reporting guide.

**Is the “List of Lists” document a list of all reportable chemicals?** No. The “List of Lists” document is NOT a list of all reportable chemicals. You can use the “List of Lists” to determine if a chemical or ingredient is an EHS (see the EHS TPQ column in the list of lists document). EHS have reporting thresholds that are lower than the thresholds for other chemicals (See the “Thresholds” section on page 2 of this reporting guide).

**I store chemicals at more than one facility in town. May I combine all storage and just submit one Tier II report?** In most cases you will need to submit a separate report for each different facility. However, if your different facilities are on one large single piece of property, or if they are only separated by a road, for reporting purposes, you have one facility.

**How can I get a new facility added to my user account?** Contact Kelsey (800) 433-2288 or [kelsey.newling@state.sd.us](mailto:kelsey.newling@state.sd.us)).

**May I combine similar products or chemicals when submitting my Tier II report?** Yes. You may combine similar products when reporting. However, the products you combine must have the same ingredients and the ingredients must be present in similar concentrations. Products you combine must also pose identical physical and health hazards. Firefighting and emergency response procedures for both must be identical.

**May I combine all gasoline products or all diesel products in my Tier II report?** You may combine diesel fuels (#1, #2, dyed, undyed). Biodiesel product should not be combined with other diesel products. You may also combine gasoline products (premium, super unleaded, unleaded, gasoline containing <10% ethanol). Gasoline products containing more than 10% ethanol should not be combined with other gasoline products.

**Do I need to consider batteries when submitting my Tier II report?** In general, automobile batteries are exempt. A forklift battery or batteries at a wind tower, cell tower, etc., may not be exempt. For additional information, go to the battery reporting links on the SD Title III webpage: (<https://danr.sd.gov/Agriculture/Inspection/Tier2>).



**Do I need to consider fertilizer when submitting my Tier II report?** In general, fertilizer stored by a retail facility is exempt from reporting. Wholesale fertilizer storage, and the storage of products used for blending purposes may not be exempt. You are encouraged to read the federal EPA interpretation regarding exempt vs non-exempt fertilizer. See the fertilizer reporting links on the Title III webpage: (<https://danr.sd.gov/Agriculture/Inspection/Tier2>).

**What are my options for reporting product mixtures on the Tier II report?** You may report the weight of the entire product mixture or you may calculate and report separately by weight of each hazardous substance ingredient. Many product mixtures contain multiple hazardous substance ingredients. In South Dakota, most facilities report the weight of the entire product mixture.

**How do I report an Extremely Hazardous Substance (EHS) on the Tier II report?** If you store several different products that contain the same EHS ingredient, the amount of the EHS ingredient from each product must be added together to determine if your total storage of that EHS meets or exceeds the reporting threshold. When entering data for a pure EHS or mixtures containing EHS ingredients, enter the product mixture name as it appears on the SDS in the "Name" data field, then enter the name of the EHS chemical in the "EHS Name" data field.

**What is the reporting period for Tier II reports?** The Tier II report summarizes product storage for the previous calendar year (for example, a Tier II report due by March 1, 2024, summarizes storage for the 2023 calendar year).

**I will begin to store a new chemical in May. I did not store this chemical last year, so it is not listed on my Tier II report. When do I need to report this new chemical and how do I report it?** When you begin to store an above threshold amount of a new chemical (or if you begin to store a significantly larger quantity than was reported on your last Tier II submittal), you must submit a 311 report within 90 days. For more information see the "How is a Tier II Report (section 312) different from a Section 311 Report?" question below.

**How is a Tier II Report (Section 312) different from a Section 311 Report?** The reporting thresholds and the chemicals that are reportable are identical. The reports differ as follows:

- The Tier II report is an annual year-end report summarizing storage for the previous calendar year. Reporting fees may apply; and
- A Section 311 report summarizes NEW storage (or a significant storage increase) and is a much shorter/easier report.
  - The 311 report must be filed within 90 days;
  - There is no fee associated with 311 report submittal; and
  - You have the option of completing and submitting a 311 report online or by using a paper form. To obtain a paper form, go to the South Dakota Title III website (<https://danr.sd.gov/Agriculture/Inspection/Tier2>) and print a copy. To report online, contact Kelsey Newling (800) 433-2288 to discuss the procedure. The completed paper form can be emailed to Kelsey Newling ([kelsey.newling@state.sd.us](mailto:kelsey.newling@state.sd.us)) or mailed to:

DANR – Kelsey Newling  
523 E. Capitol Ave  
Pierre, SD 57501

## **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 SDS. If a chemical is a mixture, the SDS will list CAS #'s for each ingredient, but there may not be a CAS # for the mixture as a whole.

**DANR:** South Dakota Department of Agriculture and Natural Resources.

**EHS:** An Extremely Hazardous Substance is a substance considered to be acutely toxic. To determine if your chemical is or contains an EHS ingredient, go to the EHS links on the South Dakota Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>).

**LEPC:** Local Emergency Planning Committee. The County Emergency Manager is usually your LEPC contact.

**NAICS:** The North American Industry Classification System code system is the standard used to classify business establishments for the purpose of comparing or grouping similar businesses. If you do not know your NAICS code, you can search for it online 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:** See SG below.

**SDS:** The Safety Data Sheet is formatted to conform with the Globally Harmonized System which mandates 17 sections of the information a chemical product, arranged in a specific order. Your supplier should be able to provide a copy and you should maintain a copy of the SDS for each chemical you use or store.

**SERC:** South Dakota Emergency Response Commission.

**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 SDS and you can use the number to calculate weight per gallon.

**SIC:** The Standard Industrial Classification code is a method of classifying industries by type. The financial officer for your facility may be able to help you find your SIC code.

**TPQ:** The Threshold Planning Quantity is a planning 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 (<https://danr.sd.gov/Agriculture/Inspection/Tier2>) to see a link to a list of EHS's and the TPQ's.

**UST's:** Underground Storage Tanks.