

2022 Tier II Reporting Guide

Tier II Emergency and Hazardous Chemical Inventory Reports

Paper Report Forms

for Calendar Year 2021

Due March 1, 2022

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WHO IS SUBJECT TO TIER II REPORTING REQUIREMENTS?

A facility is subject to Tier II reporting requirements if 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.

REPORTABLE CHEMICALS

A chemical may be reportable if a facility is required, under OSHA's Hazard Communication Standard, to maintain a SDS.

THRESHOLDS

Note: check the exclusions listed below. If a chemical is not excluded, report if at any time during 2021, 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) –
500 pounds or the threshold planning quantity (TPQ)
A list of EHSs and TPQs is available online
(<https://danr.sd.gov/Agriculture/Inspection/Tier2>)
Note: 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 a solid that poses an inhalation hazard or dermal contact hazard may not be exempt);
- Any Food and Drug Administration regulated food, food additive, drug, or cosmetic;
- Substances stored at facilities that are not subject to 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 to home owner for use on a residential 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 a 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 a fertilizer manufacturer or wholesaler. Facilities making custom blends should review the fertilizer reporting link 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 (facilities);
- A chemical that poses no physical or health hazards.
Note: If the SDS indicates there are no physical or health hazards. You may see Wording such as “chemical is NOT hazardous under the OSHA Hazard Communication Standard (29 CFR 1910.1200)”

HOW TO CALCULATE WEIGHT IN POUNDS (LIQUIDS AND GASSES)

In order to choose the correct range code, you need to know the weight in pounds for each chemical/product you report. If you do not know the weight in pounds, there are several ways to find that information:

1. Your supplier may know the weight in pounds;
2. Find a conversion formula online (For compressed gases, you may find product weight here: https://danr.sd.gov/Agriculture/Inspection/Spills/docs/Conversion_Tables.pdf)
3. For liquids, you may calculate the weight in pounds using one of these formulas:
 - *Specific gravity (SG) x 8.3 = pounds per gallon or*
 - *Relative density (RD) x 8.3 = pounds per gallon*

(NOTE: look for specific gravity or relative density in section 9 of your SDS or in the Section entitled “Physical Data” or “Physical and Chemical Properties” IMPORTANT!! – Most specific gravity or relative density numbers will be between 0.1 and 1.9)

Example: 1,000 gallons of liquid when the SDS says the SG is 1.5

1. Multiply SG by 8.3 to get the pounds per gallon
 $1.5 \times 8.3 = 12.5$ pound per gallon
2. Multiply the pounds per gallon by the gallons you store
 $(12.5 \times 1,000 = 15,500$ pounds of product)

REPORTING OPTIONS

OPTION 1: SOUTH DAKOTA ONLINE REPORTING OPTION

You are encouraged to try the online reporting option. If you submitted a Tier II report in the past (even a paper report), the information from that report has been entered into the online application. For this reason, you may find that it is easier to report online, versus using a paper form.

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

Login procedure

1. Go to the Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>).
2. Click “**SD Online Tier II Reporting Login Page**” to go to the login page.
 - a. Enter your email address and your password;
 - b. Check the “I’m not a robot” box (for security purposes you may be asked 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);
 - c. Click the “Login” button.

Password

If you do not have a password, use the “Lost or Forgotten Password” feature on the login page.

If you receive a message stating “There is no account associated with that email address,” contact Kelsey at (800) 433-2288.

Reporting instructions/guidance

When you log in to the Online Tier II Reporting system, you will see links to a “Tier II Reporting Guide” and a “Visual Guidance to Online Tier II Reporting.” You may find these documents are helpful, especially if this is your first time completing your online report. You can view and/or print these documents.

After you log in, 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 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.

You are encouraged to try the online reporting option. If you submitted a Tier II report in the past (even a paper report), the information from the past report has been pre-entered. For this reason, you may find that it is easier to report online, versus using a paper form.

INSTRUCTIONS – PAPER REPORT FORM

Note – If submitting your report online, following the instructions provided below will not be applicable. Instead, after you log in, view the listed helpful links. Use the “Tier II Reporting Guide: and “Visual Guidance to Online Tier II Reporting” found in the online system, for help preparing your online report.

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

Storage at different facilities cannot be combined in one Tier II report. A separate Tier II report must be submitted for each facility. Adjoining sites or sites separated by a road are 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.

PAGE 1

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 included in the submittal.

Reporting Period:

This section is on the upper right side of the form. Fill in the reporting period, which is January 1 through December 31, 2021.

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 site, it remains the same even after the site 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 Kelsey at (800) 433-2288 to obtain an 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.

Facility Identification:

The information in this section of the report is 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 that may be present at any one time at the facility as a whole. Include contactors, vendors, customers, employees, etc. If this is an unmanned site, check N/A.
- Manned/Unmanned: Check to indicate whether the facility is manned or unmanned. A facility is manned even if employees are only on site part of the day or year. The “unmanned” box should only be checked if the site is never 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:** Enter the latitude/longitude. You may find latitude/longitude via any means. One option is the use of Google maps. If using Google maps:
 - Find the facility, place the cursor over the facility, then left click. A pop-up box should appear showing latitude/longitude; or
 - Find the facility, place the cursor over the facility, then right click. A list of options should appear. Choose “What’s here?” A pop-up box should now open showing latitude/longitude; or
 - Find the facility, place the cursor over the facility, then right click. A list of options should appear. Choose “What’s here?” Click on the symbol that has appeared over your facility and the latitude/longitude should appear in the search box in the upper left-hand side of the page.
- **NAICS Code:** The NAICS (North American Industry Classification System) code is similar to a SIC code. It classifies a facility by type of business/industry. If you don’t know your code, ask your business office, or search the NAICS website. There is a link to the NAICS website on the DANR webpage: <https://danr.sd.gov/Agriculture/Inspection/Tier2>. Look for this link: “SIC Code/NAICS Code Crosswalk” under Other Tier II Info;
 - If you know the SIC code for your facility, you can search SIC code to find the applicable NAICS code.
 - If you do not know your SIC code, search for your NAICS code using keywords. For example, for a bulk fuel facility, you might search using the keywords “bulk fuel” while an agricultural chemical facility might search using the keyword(s) “pesticide” or “agricultural chemical.”
- **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.
- **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. You can determine if the facility is subject to section 302 by going to the list of Extremely Hazardous Substances (EHS). A link to the list is available on the state Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>). If storage is greater than or equal to the listed Threshold Planning Quantity (TPQ), the facility is subject to Section 302.
- **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. For information about this federal program, view the EPA website (www.epa.gov/rmp/risk-management-plan-rmp-rule-overview) or contact Bre Bockstahler with the Federal EPA in Denver at (303) 312-6034.

Owner or Operator Information Section:

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

Parent Company Information (optional) Section:

You have the option of providing information for a parent company (if applicable). Enter the company name, mail address, phone, email, and 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 email address. Note: 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)?" You can determine if the facility is subject to Section 302 by going to the list of Extremely Hazardous Substances and if storage is greater than or equal to the listed Threshold Planning Quantity (TPQ), the facility is subject to Section 302. A link to the list is available on the state Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>).

Tier II Information Contact Section:

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 address.*

Emergency Contacts Section:

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 if emergency responders need information when responding to a chemical incident at the facility.

Certification Section:

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

SPECIFIC INFORMATION BY CHEMICAL PAGE

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 more than two reportable chemicals, use additional copies of the "Specific Information by Chemical" reporting page. 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.

Page ____ of ____ Section:

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

State ID # Section:

This section is found on the upper right side of the page. Make sure you 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 or incomplete 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 or 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. You may find that a product that is a mixture of different chemicals may not have a CAS# for the mixture as a whole. Only check not available if no CAS # is given.
- 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.
- Trade secret?: If a substance you store is a trade secret, you must submit a trade secret substantiation form with your Tier II report. Check the “Trade Secret” box and enter 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. A link to the Extremely Hazardous Substance (EHS) list is available on the state Title III webpage (<https://danr.sd.gov/Agriculture/Inspection/Tier2>). 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.
- 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. After you determine the maximum weight of the chemical mixture stored onsite, you can determine the weight of just the EHS portion (look at the SDS and find the percent by volume for the EHS ingredient). A table of range codes is available in the bottom right hand corner of the contact information page. Range code numbers are in pounds. Enter the range code that corresponds to the weight in pounds for the EHS portion of the mixture. If you need help determining the weight, refer to the section “How do I determine how much of an Extremely Hazardous Substance (EHS) is present in a product mixture” on page 13.
- Non EHS Name(s) (optional): Enter names of non-EHS ingredients.

Physical Hazards Section:

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

Health Hazards Section:

Check all applicable boxes to indicate risks posed by the chemical.

Find out which boxes to check by reading the “Hazard Identification” section of the SDS for the product/chemical substance you are reporting (usually this is section 2 of the SDS).

Make sure you use an up to date version of the SDS. You can contact your supplier (or look online) to obtain an updated copy.

Note: “Hazard not otherwise classified” means a hazard does exist, but does not fit

into any other listed hazard categories.

Note: There are checkboxes for substances that pose no physical or health hazards.

ONLY check these boxes if the SDS states the product/chemical substance you are reporting poses no physical or health hazards.

Inventory Section:

- **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:** Look at the first page of the Tier II report (the page where you provided contact information). A table of range codes is available in the bottom right hand corner. Range code numbers are in pounds.
If you reported the maximum stored amount (above) in pounds, select the range code that corresponds to the maximum stored amount number you reported.
If you reported the maximum stored amount (above) in gallons, go to page 3 of this reporting guide for help converting gallons to pounds (or call Kelsey at (800) 433-2288 for help). Once you have converted gallons to pounds, select the range code that corresponds to the maximum stored amount in pounds.
- **Range Code for Average Stored:** Look at the first page of the Tier II report (the page where you provided contact information). A table of range codes is available in the bottom right hand corner. Range code numbers are in pounds.
If you reported the average stored amount (above) in pounds, select the range code that corresponds to the average stored amount number you reported.
If you reported the average stored amount (above) in gallons, go to page 3 of this reporting guide for help converting gallons to pounds (or call Kelsey at (800) 433-2288 for help). Once you have converted gallons to pounds, select the range code that corresponds to the average stored amount in pounds.
- **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:

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.

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 Kelsey at kelsey.newling@state.sd.us or 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:

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

SUBMITTING A PAPER FORM TIER II REPORT

Tier II reports should 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
 - b. Mail address: PMB 2020
SD DANR – SERC
Pierre, SD 57501-3182

Sign, date, and separate the colored pages.

- Keep the last page for your record.
- Mail one copy to the LEPC and one copy to the Fire Department.
- Mail the white copy to the state.

FEE

When is the fee due? The Tier II Report is due March 1, 2022, but the fee is not due until April, 1, 2022. Payments postmarked after April 1, 2022, 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, within 10 days of receipt of the Tier II report. DANR will send the invoice to the person/address listed as the Tier II Information Contact.

If you do not receive an invoice, send an email (kelsey.newling@state.sd.us) or call Kelsey at (800) 433-2288. You are responsible for making sure the fee is paid prior to April 1, 2022.

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 Kelsey via email (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 1st. A \$15 penalty applies to fees of \$150 or less and 10% penalty applies to fees of \$200 or more.

FREQUENTLY ASKED QUESTIONS

I have reporting question. Who can help me? Contact Kelsey Newling (kelsey.newling@state.sd.us or (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 not a 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 can only be used to determine if a product contains or if a chemical is an EHS (see the EHS TPQ column in the list of lists document). EHS chemicals 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 the same 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).

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 substantially 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 exempted. A forklift battery or batteries at a wind tower, cell tower, etc., may not be exempted. 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 simply 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 submitted by March 1, 2022, summarizes storage for the 2021 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. Do I have to report this new chemical now or can I just wait and add it to my Tier II report next year? If I do need to report now, how? When you begin to store a new chemical that you know will need to be included in your Tier II report next year (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 on 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 a year-end report summarizing storage for the previous calendar year (for example, a report submitted March 1, 2022, summarizes storage for calendar year 2021).
- A Section 311 report summarizes NEW storage (usually storage not previously reported on your Tier II) and is a much shorter/easier report.

- The 311 report must be filed within 90 days of beginning storage of a new reportable chemical (or significantly larger quantity than reported in your last Tier II).
- 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 form can be emailed to Kelsey Newling (kelsey.newling@state.sd.us) or mailed to:
 - DANR – Kelsey Newling
 - 523 E. Capitol Ave
 - Pierre, SD 57501

How do I determine how much of an Extremely Hazardous Substance (EHS) is present in a product mixture?

Liquids:

1. Determine weight per gallon
 - a. Find the specific gravity for your product mixture (section 9 of most SDS).
 - b. Multiply the Specific Gravity (SG) by 8.34 to get pounds per gallon.
 - Example: If the Specific Gravity is 1.02
 $(1.02 \times 8.34 = 8.51 \text{ pounds per gallon})$

2. Determine weight of the entire product mixture.
 - a. Multiply total maximum gallons of product mixture stored by the pounds per gallon number (see step 1 above).
 - Example: If you store 2,000 gallons
 $(2,000 \times 8.51 = 17,020 \text{ total pounds})$

3. Determine pounds of EHS present in the product mixture.
 - a. Find the percent by weight for the EHS chemical (section 3 of most SDS).
 - b. Multiply the total pounds of the product mixture (see step 3 above), by the percent of the EHS in the mixture
 - Example: If the EHS is 20% of the mixture
 $(17,020 \times 0.2 = 3,404 \text{ pounds of EHS})$

Solids:

To determine the total pounds of the EHS portion of the mixture, find the percent by weight for the EHS chemical (section 3 of most SDS).

- Multiply the total pounds of the product mixture, by the percent of the EHS in the mixture.
 - Example: If you store 15,000 pounds of product mixture and the EHS ingredient is 20% of the mixture
 $(15,000 \times 0.2 = 3,000 \text{ pounds of EHS})$

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 link 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.

MSDS: The Material Safety Data Sheet. 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 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 an updated version of a MSDS. A SDS is formatted to conform with the Globally Harmonized System which mandates 17 sections of the information 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 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 (<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.