



Tier II Reporting & Avoiding Common Mistakes Part One

*By: Travis Weber,
SCS Engineers*

When it comes to managing compliance for an ammonia refrigeration facility, there are no shortage of tasks that demand your attention. If you were to rank your compliance tasks based upon their difficulty or time demand, EPCRA Tier II Reporting is not likely to rank high on your list. However, the danger is that it will be overlooked altogether, or it will not be given enough priority to ensure accurate completion. As with any

compliance task, being familiar with the background of the regulation is helpful in understanding what is going to need to be done at your facility in order to achieve full compliance. This article is intended to familiarize the reader with the requirements for reporting under EPCRA and describe some of the most common mistakes that are made when reporting.

The Emergency Planning and Community-Right-to-Know Act (EPCRA) was enacted by Congress to assist local communities in protecting public health by requiring facilities to file an annual EPCRA Tier II Report, identifying hazardous chemical inventories maintained at the facility. Submitting Tier II Reports allows the local emergency personnel to be aware of the chemicals that are present within facilities in their jurisdiction, and prepare for and respond to chemical emergencies.

The annual federal deadline for submitting



Tier II Reports is March 1st (more to come on this deadline). Facilities are required to report any chemicals, which are included within the OSHA Hazard Communication Standard (29 CFR 1910.1200). A list of EHSs and their TPQs can be found at 40 CFR 355, Appendix A. The EPA has compiled a “List of Lists” which provides a consolidated list of chemicals which are subject to EPCRA Tier II reporting along with their Threshold Planning Quantities (TPQ). The TPQ is the amount of chemical kept on site above which you must file a Tier II. It is important to note that ammonia has a Tier II reporting threshold of 500 pounds.

Each facility maintaining chemical inventories as described above is required to submit an annual Tier II Report to the following agencies:

- State Emergency Response Commission (SERC),

- Local Emergency Planning Committee (LEPC), and
- The fire department having jurisdiction over the facility.

EPCRA Tier II reporting is a federal regulation administered by the EPA, which has laid out the basic requirements of EPCRA, including the March 1st deadline. However, the State Emergency Response Commission (SERC) carries out EPCRA implementation at the state level. So, while the basic requirements may remain the same, each state may have additional requirements, including different submittal deadlines. The steps and methods of reporting that are necessary to complete your Tier II Report are going to be dependent upon the guidelines and requirements of the state in which the facility resides.

file for printing and hard copy submittals. Some states are requiring that Tier2 Submit be used, while other states do not accept Tier2 Submit files at all. If a state has developed their own online reporting system, they will not typically accept other forms of submission.

The EPA website provides a synopsis of Tier II reporting procedures and special requirements for each state, as well as contact information for the offices and personnel responsible for Tier II administration. Most SERCs provide specific instructions to clarify reporting requirements within their respective state. Utilize these resources to ensure that your Tier II Report is meeting the necessary reporting requirements, as well as utilizing the proper submittal format for your state.



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It is extremely important to verify the method of submittal that is required within your state. Some states require that Tier II forms be submitted electronically, while other states may require hard copy submittals. Still others require both digital and printed submissions. If your state accepts digital Tier II Submittals, it is important to confirm if the digital submission is automatically distributed to all three required recipients (SERC, LEPC, and Fire Department). Some states may require online submittals to the SERC, but require printed submittals to the LEPC, and local fire department.

States such as California, Louisiana, and Pennsylvania, among others, have developed their own online reporting systems while others utilize common reporting software. For example, the EPA has developed a free Tier II submittal software “Tier2 Submit”, which allows the user to create a digital file to be uploaded to state reporting sites. The Tier2 Submit software can also be used to generate a PDF

When it comes to Tier II Reporting, we know that an accurate report and full compliance is the desired destination, but it is always a good idea to have accurate directions before beginning any journey. Spending some time to ensure you have a clear understanding of your states Tier II Reporting requirements and methods of submittal is a great place to start. The next article will highlight the most common mistakes that are made when preparing and submitting Tier II reports.

Travis Weber is a Staff Professional for SCS Engineers: Tracer Environmental Services. Travis is a Certified Assistant Refrigeration Operator.

