

TIER TWO INSTRUCTIONS

GENERAL INFORMATION

WHO MUST SUBMIT THIS FORM?

The owner or operator of a facility where hazardous chemicals are used, produced, or stored must submit a Tier Two Form if the quantity of hazardous chemicals on hand exceeds specific thresholds (see below). The Missouri Tier Two Form is required instead of the Tier I form.

WHAT CHEMICALS MUST BE REPORTED?

Any substance for which your facility must keep a material safety data sheet (MSDS) under OSHA's Hazard Communication Standard is classified as a "hazardous chemical". Any "hazardous chemical" that your facility has more than ten thousand (10,000) pounds of on hand at any one time during the calendar year must be reported on the Missouri Tier Two form. A partial list of hazardous chemicals may be found on the internet at <http://www.epa.gov/ceppo/caalist.html> but the simplest way to determine if a chemical is required to be reported is (1) OSHA required MSDS and (2) 10,000 pounds on hand.

Extremely Hazardous Substances (EHS) as specified in 40 CFR Part 355 must be reported on the Tier Two form if a facility has on hand at any one time during the calendar year more than five hundred (500) pounds or the threshold planning quantity (TPQ), whichever is lower. To obtain a list of extremely hazardous substances, contact the Missouri Department of Public Safety, Missouri Emergency Response Commission at 800-780-1014 or go to <http://www.epa.gov/ceppo/pubs/title3.pdf> on the Internet.

Under Missouri law, explosives and blasting agents in excess of one hundred (100) pounds must be reported to the fire department within 24 hours of being present at a facility. If storage is longer than 15 days, these substances must be reported to the fire department, the LEPC, and the Missouri Emergency Response Commission using the Missouri Tier Two form. This requirement does not apply to materials in transit provided that the transporter is in compliance with U.S. Department of Transportation regulations.

WHAT CHEMICALS ARE EXCLUDED?

Section 311(e) of Title III EPCRA excludes the following substances:

- (1) Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.
- (2) Any substance present as a solid in a manufactured item to the extent exposure to the substance does not occur under normal conditions of use.
- (3) Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public.
- (4) Any substance to the extent it is used in a research laboratory or a hospital or other medical facility under the direct supervision of a technically qualified individual.
- (5) Any substance to the extent it is used in routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer. (This exclusion does not apply to the one-time reporting of extremely hazardous substances under Section 302 of EPCRA.)

WHEN TO SUBMIT THIS FORM

Owners or operators of facilities that have hazardous chemicals on hand in quantities equal to or greater than set threshold levels must submit Missouri Tier Two forms by March 1st of each year. The information required must be reported to the Missouri Emergency Response Commission and the Local Emergency Planning Committee within sixty (60) days of a new extremely hazardous substance being present at the facility at or above the threshold planning quantity (TPQ) (*11 CSR40-4.040 (1)*). If any new hazardous chemical or extremely hazardous substance comes onto the site in a quantity sufficient to require reporting, an updated Missouri Tier Two form must be provided within three (3) month (*11 CSR40-4.040 (1)(D)(2)*).

WHERE TO SEND YOUR COMPLETED TIER TWO:

Send a completed, signed Missouri Tier Two form to each of the following organizations:

- (1) Missouri Emergency Response Commission
P.O. Box 3133
Jefferson City, MO 65102
- (2) Your Local Emergency Planning Committee (LEPC) (A list is located on the MERC web page at <http://www.sema.dps.mo.gov/mercc.htm> under “LEPC Addresses”)
- (3) The fire protection service that covers your facility

PENALTIES:

Any owner or operator who violates any Tier Two reporting requirements shall be liable to the United States for civil penalty of up to \$27,500 per day for each such violation. Each day a violation continues shall constitute a separate violation. Under Missouri law, there is also a penalty of up to \$5,000 per day for failure to provide the type of information required on the Missouri Tier Two form.

FORM INSTRUCTIONS

YOU MUST PROVIDE ALL INFORMATION REQUESTED (*40 CFR 370.40*)

(“E-MAIL” MAY BE LEFT BLANK IF NOT APPLICABLE.)

(NUMBERS REFERENCE THE SECTION ON THE TIER TWO FORM)

Page 1. Reporting period, page numbers

(The correct reporting year and page numbers are entered automatically when filing on-line.)

Enter the correct calendar year. (NOTE: March 1 Tier Two Reporting covers previous year inventories (i.e. report due 03/01/2007 covers period of 1/1/2006 - 12/31/2006). The manual Missouri Tier Two form allows for one chemical per page. If there is more than one chemical on site, photocopy page 2 of the report as needed, enter the page number and the total number of pages. Do not list more than one chemical per page.

2a. Facility Identification

Enter the full name of your facility and a company identifier where appropriate. Enter the full street address as assigned by your local 911. If a 911 street address is not available, enter other information that describes the physical location of the facility (such as Highway, Route

or County Road). Include city, state and zip code. Also complete the telephone numbers (voice and fax), E-mail address and county in which the facility is located. If you do not have an E-mail address, leave this field blank. Do not enter your company's website address as the computer will only accept a valid e-mail address.

Mailing Address:

Enter the name and mailing address for delivery of all correspondence and future Missouri Tier Two Information Packets.

Codes and Locations:

Enter the Standard Industrial Classification (SIC) (*four-digit code*) and the North American Industry Classification System (NAICS)(*six-digit code*). You can obtain the appropriate SIC and NAICS for your facility by clicking on the link **find SIC/NAICS Codes** if you are entering on-line, by going to <http://www.census.gov/epcd/www/naics.html> on the internet or by calling the MERC at 800-780-1014.

Contact the regional office of Dun & Bradstreet if you do not know your facility's number or if you want to have one assigned at 800-333-0505, or on-line at <http://www.dnb.com/us/index.asp>. When entering on-line, do not use the dash (-) in your Duns number, as this field is numeric only.

The TRI# is an identification number issued by the EPA to manufacturing facilities that have routine releases of toxic chemicals into the environment. If this does not apply to your facility, leave this field blank.

Enter the Latitude and Longitude in Degrees, Minutes and Seconds for the physical location of the reporting facility. This information is available on-line at <http://www.maporama.com/share/> or click on the link **Find Lat & Long** if entering on the internet. If you have the information in degrees only, i.e. 38.625749 degrees, convert this number to minutes and seconds as follows:

If location is 38.625749 deg. 38 deg.
Divide number to the right of the decimal (.625749) by .0166667 (1/60th) = 37.655865
(Do not round up) or 37 min.
Divide number to the right of the decimal (.655865) by .0166667 (1/60th) = 32.691835
(OK to round up) or 33 sec.

Enter the Fire Department with jurisdiction of the facility being reported.

Indicate whether explosives are being reported.

Indicate whether the facility you are reporting on is a family farm, a pipeline, or owned by a local government. Family farms and local governments are exempt from paying fees, however, a signed fee sheet must be sent to the MERC. A "FAMILY FARM" is defined as "an unincorporated farming unit owned or leased by one or more persons residing on the farm or actively engaged in farming."

2b. **Owner/Operator Information**

Enter the owner(s) or operators(s) full name, mailing address, phone numbers (voice & fax) and E-mail address (if available).

2c. **Regulatory point of Contact Information**

This is where you enter your name. The regulatory point of contact is whom we would contact if we have questions regarding information provided on this report. Enter the full

name, mailing address, phone numbers (voice & fax) and E-mail address (if available) for this person.

2d. **Emergency Contact Information**

Enter the name, title, and work phone number of two local persons who can be called if emergency responders need assistance in responding to an incident at or around the facility. *Provide an emergency phone number where such emergency information will be available after normal working hours, 24 hours a day, every day. This requirement is mandatory. The facility must make some arrangement to ensure that 24-hour contacts are available. (40 CFR 370.40)* Also, the first person listed under “Emergency Contacts” is the facility emergency coordinator as described in *40 CFR Part 355.30©*.

Initial Submission or Update

Indicate whether this is the initial submission for the reporting year, or an update that is being sent because your facility is using, producing, or storing additional hazardous chemicals that were not reported earlier. (See “**WHEN TO SUBMIT THIS FORM**”)

Certification

The owner or operator or the officially designated representative of the owner or operator must certify that all information included in the Tier Two submission is true, accurate, and complete.

For manual reporting, enter your full name and official title on the first page of the Tier Two report. Sign your name and enter the current date. *An original signature is required on at least the first page of the submission. Submissions to the Missouri Emergency Response Commission, LEPC, and fire department must each contain an original signature on at least the first page. Subsequent pages must contain either an original signature, a photocopy of the original signature, or a signature stamp. Each page must contain the date on which the original signature was affixed to the first page of the submission and the total number of pages in the submission. (40 CFR Part 370.41)*

For electronic reporting, the report must be filed by the owner or operator or the officially designated representative of the owner or operator. Since the e-filing system involves User IDs and Passwords restricted to persons with approved filer status and since a certification statement appears on the printed Electronic Tier Two Report, the Missouri Department of Public Safety believes this satisfies certification requirements.

Optional Attachments

If you choose to attach one of the following, check the appropriate attachments box at the bottom of the Tier Two form. If you are filing on-line, use the function to attach the documentation electronically.

- (1) A site plan with site coordinates indicated for buildings, lots, and areas throughout your facility.
- (2) A list of site coordinate abbreviations that correspond to buildings, lots and areas throughout your facility.
- (3) A description of dikes and other safeguard measures for storage locations throughout your facility.

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Chemical Description

This section of the Tier Two form requires specific information on amounts and locations of hazardous chemicals as defined in the OSHA Hazard Communication Standard.

Enter the Chemical Abstract Service (CAS) registry number. This number can be found on the Material Safety Data Sheet or click on **Find Chemical/CAS #** when entering on-line or on the Internet at <http://www.chemfinder.com/>. For mixtures, enter the CAS number of the

mixture as a whole if it has been assigned a number distinct from its constituents. For a mixture that has no CAS number, report the CAS number of the primary hazardous chemical in the mixture.

If a chemical is a “Trade Secret” and you are withholding the chemical name in accordance with criteria specified in *EPCRA Section 322*, enter the generic CAS number and class or category that is structurally descriptive of the chemical and check the box marked “Trade Secret”. Trade Secret information should be submitted to EPA and must include substantiation. Please refer to EPA’s final regulation on trade secrecy (*40 CFR part 350*) for details.

Enter the chemical name or common name of each hazardous chemical, check all boxes that apply: “pure or mixture”; and “solid, liquid or gas”; and indicate whether the chemical is or contains an Extremely Hazardous Substance (EHS). If the chemical is a mixture containing an EHS, enter the chemical name of each EHS in the mixture.

(4) **Physical and Health Hazards**

For each chemical you have listed, check all the physical and health hazard boxes that apply. This should be detailed on the Material Safety Data Sheet. These hazard categories are defined in *40 CFR Part 370.2*. The two health hazard categories and three physical hazard categories are a consolidation of the 23 hazard categories defined in the OSHA Hazard Communication Standard, *29 CFR 1910.1200*.

HAZARD CATEGORY COMPARISON FOR REPORTING UNDER SECTION 311-312	
EPA Hazard Categories	OSHA Hazard Categories
Fire Hazard	Flammable Combustion Liquid Pyrophoric Oxidizer
Sudden Release of Pressure	Explosive Compressed Gas
Reactive	Unstable Reactive Organic Peroxide Water Reactive
Immediate (Acute) Health Hazards	Highly Toxic Toxic Irritant Sensitizer Corrosive Other hazardous chemicals with an adverse effect with short term exposure
Delayed (Chronic) Health Hazard	Carcinogens (cancer causing). Other chemicals with an adverse effect with long term exposure

(5) **Inventory**

Maximum Amount - For each hazardous chemical, estimate the greatest amount in pounds present at your facility on any single day during the calendar year. Find the appropriate range value code in Table I. Enter this range value as the Maximum Amount.

Average Daily Amount - For each hazardous chemical, estimate the average daily weight in

pounds that was present at your facility during the year. To do this, total all daily weights and divide by the number of days the chemical was present on the site. Find the appropriate range value in Table I and enter this range value as the Average Daily Amount.

Range Value	Weight Range in Pounds		Range Value	Weight Range in Pounds	
	From	To		From	To
01	0	99	06	1,000,000	9,999,999
02	100	999	07	10,000,000	49,999,999
03	1,000	9,999	08	50,000,000	99,999,999
04	10,000	99,999	09	100,000,000	499,999,999
05	100,000	999,999	10	500,000,000	999,999,999
			11	1 Billion	higher than 1 billion

Calculate all amounts as weight in pounds. To convert gas or liquid volume to weight in pounds, multiply by the appropriate density (found on MSDS). Use the corresponding Range Value Code from Table I above as your entry on the report.

If a chemical is part of a mixture, you have the option of reporting either the weight of the entire mixture or only the portion of the mixture that is a particular hazardous chemical. For example, if a hazardous solution weighs 100 pounds, but is composed of only 5 percent of a particular hazardous chemical, you can indicate either 100 pounds of the mixture or five pounds of the chemical. Calculate the total for a particular substance by adding the amounts of the chemical in all the locations where it is found at your facility.

Enter the estimated number of days that the hazardous chemical was found on-site.

If you are reporting this chemical even though it is present in quantities below the reporting threshold, mark the “Optional Report” box. These materials will not be included in the fee calculations.

(6). **Storage Codes and Locations**

List all non-confidential chemical locations in this column, along with storage containers and the conditions associated with each location. Please note that a particular chemical may be located in several places around the facility. Each row of boxes followed by a line represents a unique storage type and/or location for the same chemical.

CONTAINER STORAGE CODES (Enter in the First Box)	
<u>Codes</u>	<u>Types of Storage</u>
A	Above ground tank
B	Below ground tank
C	Tank inside building
D	Steel drum
E	Plastic or non-metallic drum
F	Can
G	Carboy
H	Silo
I	Fiber drum
J	Bag
K	Box
L	Cylinder
M	Glass bottles or jugs
N	Plastic bottles or jugs
O	Tote bin
P	Tank Wagon
Q	Rail Car
R	Other

Pressure Codes (Enter in the Second Box)		Temperature Codes (Enter in the Third Box)	
Codes	Storage Conditions (Pressure)	Codes	Storage Conditions (Temperature)
1	ambient pressure	4	ambient temperature
2	greater than ambient pressure	5	greater than ambient temperature
3	less than ambient pressure	6	less than ambient temperature, but not cryogenic
	ambient = surrounding	7	cryogenic conditions
	cryogenic = extremely cold liquefied gas		

Provide a brief description of the precise location of the chemical, so that emergency responders can locate the area easily. You may find it advantageous to provide the optional site plan or site coordinates. For each chemical, indicate at a minimum the building or lot. Where practical, the room or area may be indicated.

If the chemical is present in more than one building, lot or area, continue your responses down the page as needed. If the chemical exists everywhere at a plant site simultaneously, you may report that the chemical is ubiquitous at the site. (40 CFR Part 370.41)

Confidential Storage Location Information

Under Section 324 of EPCRA, you may elect to have certain location information held as confidential. If you choose to do so, write “Confidential” in the location field and complete a “Confidential Location Information Sheet” accessed from the Tier Two Home Page or contact the Missouri Emergency Response Commission for instructions.

PLEASE NOTE:

- ❖ Do not submit material safety data sheets (MSDS) to the Missouri Emergency Response Commission in Jefferson City.
- ❖ LEPCs and fire departments may request an MSDS at a later date for a substance(s) listed on your Missouri Tier Two form.
- ❖ **IF REPORTING MANUALLY**, Signed Hard Copies must be sent to the required agencies as stated in the instructions on our web page as required by *40 CFR 370.41* . You can log on to the MERC web site at: <http://www.sema.dps.mo.gov/mercc.htm> and go to Tier Two Reports for information on our electronic reporting.
- ❖ **TO PRINT ELECTRONICALLY SUBMITTED TIER TWO REPORTS FOR YOUR FILES:** Upon completing data entry, return to “Facilities List”, click on “View Tier Two” immediately to the right of the facility name. This will display the data in Tier Two Report format. Go to “File”, “Page setup” and set Layout to “Landscape” and set the margins to the smallest possible setting and hit “Print”. Since each page of the report is a different screen on the internet, you must print each page or screen separately.