

*“Smart People  
Solving Problems”*

Buys & Associates, Inc. is an environmental consulting firm that specializes in defining and resolving your environmental issues.

B&A realizes that time and accuracy can make or break a project. Our approach is to evaluate problems that either the client, the agency, or we have identified and then design and implement a program with cost-effective solutions.

B&A biologists, geologists, NEPA experts, and other specialists provide a unique blend of technical expertise and regulatory knowledge. We understand how to approach even the most difficult projects. With our knowledge of regulatory requirements, you can count on us for practical and appropriate solutions to your environmental needs.

## SARA Title III Tier 2 Filing

The Emergency Planning and Community Right-to-Know Act (EPCRA) portion of the Superfund Authorization and Amendments Act (SARA) was passed in 1986 and requires any facility storing greater than a specified threshold amount of hazardous chemicals for at least one day in a year **MUST** report that storage to a Local Emergency Planning Committee by **March 1<sup>st</sup>** of the year following storage.



### **Hazardous Chemical Storage Reporting Requirements (EPCRA Section 311/312, 40 CFR Part 370)**

Under Occupational Safety and Health Administration (OSHA) regulations, employers must maintain a material safety data sheet (MSDS) for any hazardous chemicals stored or used in the work place.

Section 311 requires facilities that have MSDSs for chemicals held above certain quantities to submit either copies of their MSDSs or a list of MSDS chemicals to the State Emergency Planning Commission (SERC), Local Planning Commission (LEPC), and local fire department.

### **Emergency and Hazardous Chemical Inventory Reporting Requirements (EPCRA Section 312)**

Facilities that need to report under EPCRA Section 311 must also submit an annual inventory report for the same chemicals. This inventory report (Tier II) must be submitted to the State Emergency Response Commission (SERC), Local Emergency Planning Commission (LEPC), and local fire department(s) by March 1 of each year. The report will include all chemicals (including petroleum products) stored at any site in quantities above 10,000 lbs (~ 32 barrels) at any time during the previous calendar year, and any Extremely Hazardous Substances (EHS) (such as acids) stored at the site in quantities above 500 lbs.

The report is due to the SERC, LEPC, and Fire Departments annually by March 1<sup>st</sup>.

## **SITES TO REPORT:**

All sites must be reported, including:

- Producing wells (report hydrocarbons)
- New wells drilled in the previous calendar year (report drilling mud and additives, cement and additives, proppants, diesel fuel, fracture fluids)
- Wells plugged in the current year (report hydrocarbons and other chemicals over 10,000 lbs.)
- Wells bought or sold in the current year (including who bought or sold the well from the client; report hydrocarbons)
- Compressor stations (report hydrocarbons)
- Any other site with storage over Reporting Thresholds

**NOTE:** If you have five (5) wells piped directly to a Tank Battery, report the storage at the Tank Battery. The wells only need to be reported the year that they are drilled, due to the cement, drilling mud, etc.

## **FILING:**

**STATES:** Reporting varies by State. Most states now require electronic filing, either with the Federal Tier 2 Submit (T2S) software, or on their own website. Some states would like the T2S data mailed to them on a CD, some would like it emailed to them, some like it uploaded to their website. Some refuse to accept T2S data and want data entered on their own website, in state specific format. For more information on your State's requirements, please contact Buys & Associates, Inc. at (303) 781-8211.

## **FILING (Cont'd):**

### **COUNTY LOCAL EMERGENCY PLANNING**

**COMMISSIONS (LEPCs):** Some LEPCs now accept T2S data. Most require a hard copy of the Tier 2 Report to be mailed to them.

**FIRE DEPARTMENTS:** Most Fire Departments require hard copies of the Tier 2 Reports to be mailed to them.

### **FILING FEES:**

Some states charge a fee per site, some charge a flat fee, and some do not charge a fee at all. Currently, very few LEPCs or Fire Departments charge a Filing Fee, but this will likely change.

### **SITE DIAGRAMS:**

Only a few states are currently requiring Site Diagrams, but this is subject to change as well.



**Don't forget to report your hazardous chemicals...**

Contact Buys & Associates, Inc.  
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