

# ALASKA STATE EMERGENCY RESPONSE COMMISSION INSTRUCTIONS FOR THE STATE OF ALASKA TIER TWO FORM

Submission of the Tier Two Form is required by Title III of the Superfund Amendments And Reauthorization Act Of 1986, Section 312; Public Law 99-499, codified at 42 U.S.C. Section 11022. The purpose of the Tier Two Form is to provide State and local officials and the public with specific information on hazardous chemicals present at your facility during the past year.

## STATE REQUIREMENTS

As required by AS 29.35.500 (a), the State Emergency Response Commission has approved an official State of Alaska Tier Two Form. This form is identical in format to the federal Tier Two Form EXCEPT that actual quantities (in pounds or gallons) of substances must be reported in addition to the quantity codes used on the federal Tier Two 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. On the first page of the Tier Two report, enter your full name and official title. Sign your name and enter the current date. Also, enter the total number of pages included in the Confidential and Non-Confidential Information Sheets as well as all attachments. An original signature is required on at least the first page of the submission. Submissions to the SERC, 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. If your Tier Two responses require more than one page, use additional forms and fill in the page number at the top of the form.

## YOU MUST PROVIDE ALL INFORMATION REQUESTED ON THE FORM TO FULFILL TIER TWO REPORTING REQUIREMENTS.

## WHO MUST SUBMIT THE FORM

Section 312 of Title III requires that the owner or operator of a facility submit the Tier Two form if so requested by a State emergency response commission, a local emergency planning committee, or a fire department with jurisdiction over the facility.

This request may apply to the owner or operator of any facility that is required, under regulations Implementing the Occupational Safety and Health Act of 1970, to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical present at the facility. MSDS

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.

The form does not have to be submitted if all of the chemicals located at your facility are excluded under AS 29.35.590(6).

## WHAT CHEMICALS ARE INCLUDED

You must report the required information on this Tier Two form for each hazardous chemical present at your facility in quantities equal to or greater than established threshold amounts (discussed below), unless the chemicals are excluded under AS 29.35.590(6). Hazardous chemicals are any substance for which your facility must maintain an

## STATE REQUIREMENTS

The following substances and reporting thresholds are established in AS 29.35.500(c):

- **any quantity** of a hazardous material of the hazard class identified in federal placarding regulations as (A) Poison Gas Hazard Division No. 2.3 and Poisons 6.1;  
(B) Explosives 1.1;  
(C) Explosives 1.2 and 1.3, excluding smokeless gunpowder, black powder, and ammunition;  
(D) Flammable solid Divisions 4.1, 4.2, and 4.3; or  
(E) Radioactive Hazard Class 7;
- a hazardous chemical, or a hazardous material other than one described in (1) of this subsection, if handled in a single day in an amount equal to or greater than 10,000 pounds;
- extremely hazardous substances in a quantity equal to or more than 500 pounds or the threshold planning quantity, whichever is less; and
- compressed gasses equal to or more than 1,000 cubic feet at standard temperature and pressure

MSDS under OSHA's Hazard Communication Standard or which is reportable under State law.

## WHAT CHEMICALS ARE EXCLUDED

AS 29.35.590(6) excludes the following substances:

- (A) a food, food additive, color additive, drug, or cosmetic regulated by the federal Food and Drug Administration;
- (B) a substance present as a solid in a manufactured item to the extent exposure to the substance does not occur under normal conditions of use;
- (C) a 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;

- (D) a 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; or
- (E) a 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.

OSHA regulations, Section 1910.1200(b), stipulate exemptions from the requirement to prepare or have available an MSDS.

## REPORTING THRESHOLDS

Minimum thresholds have been established for Tier One/ Tier Two reporting under Title III, Section 312. These thresholds are as follows:

For Extremely Hazardous Substances (EHS) designated under Section 302 of Title III, the reporting threshold is 500 pounds (or 227 kg.) or the threshold planning quantity (TPQ), whichever is lower.

For gasoline (all grades combined) at a retail gas station, the threshold level is 75,000 gallons (or approximately 283,900 liters), if the tank(s) was stored entirely underground and was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.

For diesel fuel (all grades combined) at a retail gas station, the threshold level is 100,000 gallons (or approximately 378,500 liters), if the tank(s) was stored entirely underground and the tank(s) was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.

For all other hazardous chemicals for which facilities are required to have or prepare an MSDS, the minimum reporting threshold is 10,000 pounds (or 4,540 kg.).

Additional state reporting requirements are summarized on page 1. The State Emergency Response Commission may require additional substances by regulation.

You need to report hazardous chemicals that were present at your facility at any time during the previous calendar year at levels that equal or exceed these thresholds. For instructions on threshold determinations for components of mixtures, see "What about mixtures?" on page 2 of these instructions.

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## INSTRUCTIONS

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*Please read these instructions carefully. Print or type all responses.*

## 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 Tier Two forms by March 1.

## WHERE TO SUBMIT THIS FORM

Send completed Tier Two form(s) to each of the following organizations:

1. Your State Emergency Response Commission.  
***Department of Environmental Conservation  
410 Willoughby Ave., Ste 303  
P.O. Box 111800  
Juneau, AK 99811-1800***
2. Your Local Emergency Planning Committee.  
***(Contact the Alaska Division of Homeland Security and Emergency Management for a current list of LEPCs and their jurisdictions.)***
3. The fire department with jurisdiction over your facility

## WHERE TO GET HELP

For help completing this form, please contact your Local Emergency Planning Committee or the local fire department.

## WHERE TO GET ADDITIONAL COPIES OF THE FORM

Additional copies of the State of Alaska Tier Two form may be obtained from your local LEPC or the local fire department. You may also download a copy from the internet at the SERC's web site at <http://ready.alaska.gov/SERC/TIER>.

## REPORTING PERIOD

Enter the appropriate calendar year, beginning January 1 and ending December 31.

## FACILITY IDENTIFICATION

Enter the complete name and address of the location of your facility where the hazardous chemicals are stored.

Enter the full street address or state road, county, city, state, and zip code.

Provide a general phone number for your facility. (Note: This is an optional data element.)

Provide the latitude and longitude for the location of your facility.

Indicate if the facility is manned or unmanned. If the facility is manned at least part of the day, check the box "manned". The box "unmanned" should only be checked if the facility is never manned. This information is useful for state and local emergency planners to include people at your facility in the emergency response plan and for planning evacuation during an emergency.

Estimate the maximum number of occupants that may be present at any one time at your facility. If the facility is manned at least part of a day, indicate the number of persons present. This information is useful for state and local emergency planners and responders in the emergency plan and for planning evacuation during an emergency. You should include contractors, vendors and people that may be present for any training or other events as well as employees. If the location is never manned, check the box marked "N/A".

Enter the primary North American Industry Classification System (NAICS) code and the Dun & Bradstreet number of your facility. The financial officer of your facility should be able to provide the Dun & Bradstreet number. If your firm does not have this information, contact the State or regional office of Dun & Bradstreet to obtain your facility number or have one assigned.

### **SUBJECT TO EMERGENCY PLANNING**

Indicate if your facility is subject to the emergency planning notification requirement under EPCRA section 302, codified in 40 CFR part 355. Check the box "yes" or "no".

### **SUBJECT TO CHEMICAL ACCIDENT PREVENTION**

Indicate if your facility is subject to chemical accident prevention provisions under section 112(r) of the Clean Air Act, also known as the Risk Management Program (RMP), codified in 40 CFR part 68. Check the box "yes" or "no".

### **IDENTIFICATION NUMBER UNDER THE TOXIC RELEASE INVENTORY (TRI) PROGRAM**

If your facility is subject to the Toxic Release Inventory (TRI) program under section 313 of EPCRA, provide the identification number assigned by EPA. If your facility is not subject to this reporting requirement or if your facility has not been assigned a number under this program, check the box marked "N/A".

### **IDENTIFICATION NUMBER UNDER THE RISK MANAGEMENT PROGRAM (RMP)**

If your facility is subject to the chemical accident prevention provisions codified in 40 CFR part 68, also known as the Risk Management Program, provide the RMP facility identification number assigned by EPA. If your facility is not subject to this provision or if your facility has not been assigned a number, check the box marked "N/A".

### **OWNER/OPERATOR**

Enter the owner or operator's full name, mailing address, and phone number. Provide the email address of the owner or operator of the facility.

### **PARENT COMPANY**

Enter the name, mailing address, phone number, email address and Dun & Bradstreet number of the parent company. *Note: These are optional data elements.*

### **FACILITY EMERGENCY COORDINATOR**

Enter the name, title, email address, phone number and 24-hour phone number of the facility emergency coordinator.

*Note: This data element is only applicable to facilities subject to EPCRA section 302(c) emergency planning notification. Section 303(d)(1) of EPCRA requires facilities subject to the emergency planning notification requirement under Section 302(c) to designate a facility representative who will participate in the local emergency planning process as a facility emergency coordinator. This data element is also applicable to additional facilities designated by the Governor or the SERC under EPCRA section 302(b)(2)). EPA encourages facilities not subject to the emergency planning notification requirement also to provide this information, for effective emergency planning in your community.*

### **TIER II INFORMATION CONTACT**

Enter the name, title, email address and phone number of the person knowledgeable of the information contained in the Tier II inventory form.

### **EMERGENCY CONTACT**

Enter the name, title, and work phone number of at least one local person or office who can act as a referral if emergency responders need assistance in responding to a chemical accident at the facility.

Provide an emergency phone number where such emergency information will be available 24 hours a day, every day. This requirement is mandatory. The facility must make some arrangement to ensure that a 24 hour contact is available.

### **IDENTICAL INFORMATION**

Check the box indicating identical information, located below the emergency contacts on the Tier Two form, if the current chemical information being reported is identical to that submitted last year. Chemical descriptions, hazards, amounts, and locations must be provided in this year's form, even if the information is identical to that submitted last year.

### **CHEMICAL INFORMATION: Description, Hazards, Amounts, and Locations**

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

If you choose to indicate that all of the information on a specific hazardous chemical is identical to what was submitted last year, check the appropriate optional box provided at the right side of the storage codes and locations on the Tier Two form. Chemical descriptions, hazards, amounts, and locations must be provided even if the information is identical to that submitted last year.

#### **What units should I use?**

Calculate all amounts as weight in pounds. To convert gas or liquid volume to weight in pounds, multiply by an appropriate density factor.

#### **What about mixtures?**

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 (e.g., if a hazardous solution weighs 100 lbs. but is composed of only 5% of a particular hazardous chemical, you can indicate either 100 lbs. of the mixture or 5 lbs. of the chemical). The option used for each mixture must be consistent with the option used in your Section 311 reporting.

Because EHSs are important to Section 303 planning, EHSs have lower thresholds. The amount of an EHS at a facility (both pure EHS substances and EHSs in mixtures) must be aggregated for purposes of threshold determination. It is suggested that the aggregation calculation be done as a first step in making the threshold determination. Once you determine whether a threshold for an EHS has been reached, you should report either the total weight of the EHS at your facility, or the weight of each mixture containing the EHS.

The following describes how to report above-threshold EHSs on a Tier II form where the facility is reporting some mixtures as a mixture and some mixtures by component. When filling out the Tier II form and reporting some mixtures as mixtures and some by component, the facility must do two things. First, for any mixture containing the above threshold EHS that the facility is reporting by component, the facility must report the above-threshold EHS separately by chemical description, physical and health hazard, inventory and storage code and location. When reporting inventory information (maximum and daily amount and number of days on-site), the facility should calculate or refer to those quantities of the EHS that are present only in the mixtures that the facility is reporting by component; the facility need not include within these calculations the amounts of the above-threshold EHS that are contained within mixtures that the facility is reporting as a mixture. Similarly, when reporting the storage code and location for the above-threshold EHS that the facility is reporting by component; the facility need not refer to the location and storage code of any mixture containing the EHS that the facility is reporting as a mixture.

Second, for any mixture containing an EHS that the facility is reporting as a mixture, the facility must check the box labeled "EHS" to indicate that the mixture contains an

above-threshold EHS, and must also write the name of the above-threshold EHS(s) contained with the mixture on the line provided. When filling out the inventory information, the facility should include in the calculation only those quantities of the same mixture and should follow a similar procedure when filling out the storage code and location information. (July 26, 1990 final rule, 55 FR 30632)

#### **CHEMICAL DESCRIPTION**

1. Enter the Chemical Abstract Service registry number (CAS). 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, leave this item blank or report the CAS numbers of as many constituent chemicals as possible. If you are withholding the name of a chemical in accordance with criteria specified in Title III, Section 322, enter the generic class or category that is structurally descriptive of the chemical (e.g., list toluene diisocyanate as organic isocyanate) and check the box marked Trade Secret. Trade secret information should be submitted to EPA and must include a substantiation. Please refer to EPA's final regulation on trade secrecy (53 FR 28772, July 29, 1988) for detailed information on how to submit trade secrecy claims.
2. **Enter the chemical name or common name of each hazardous chemical as provided on the material safety data sheet (MSDS).**
3. Check box for ALL applicable descriptors: pure or mixture; and solid, liquid, or gas; and whether the chemical is or contains an EHS.
4. If the chemical is a mixture containing an EHS, enter the chemical name of each EHS in the mixture.

#### **EXAMPLE**

You have pure chlorine gas on hand, as well as two mixtures that contain liquid chlorine. You write "chlorine" and enter the CAS number. Then you check "pure" and "mix"— as well as "liquid" and "gas".

## PHYSICAL AND HEALTH HAZARDS

For each chemical you have listed, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 CFR 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 SECTIONS 311 AND 312

EPA's Hazard Categories	OSHA's 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)	Highly Toxic
Health Hazards	Toxic
	Irritant
	Sensitizer
	Corrosive
Delayed (Chronic) Health Hazard	Other hazardous chemicals with an adverse effect with short term exposure
	Carcinogens
	Other hazardous chemicals with an adverse effect with long term exposure

## MAXIMUM AMOUNT

1. For each hazardous chemical, estimate the greatest amount present at your facility on any single day during the reporting period.
2. Enter the actual pounds or gallons in the GAL/LBS column. Be sure to indicate whether the quantity reported is gallons or pounds.
3. Find the appropriate range value code in Table I.
4. Enter this range value in the CODE column.

**TABLE I -- REPORTING RANGES**

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

### EXAMPLE

You received one large shipment of a solvent mixture last year. The shipment filled five 5,000-gallon storage tanks. You know that the solvent contains 10% benzene, which is a hazardous chemical.

You figure that 10% of 25,000 gallons is 2,500 gallons. You also know that the density of benzene is 7.29 pounds per gallon, so you multiply 2,500 gallons by 7.29 pounds per gallon to get a weight of 18,225 pounds. You enter "18,225 pounds" in the GAL/LBS column.

Then you look at Table I and find that the range value 04 corresponds to 18,225. You enter 04 as the Maximum Amount in the CODE column.

## AVERAGE DAILY AMOUNT

1. For each hazardous chemical, estimate the average quantity that was present at your facility during the year.
2. Enter the actual pounds or gallons in the GAL/LBS column. Be sure to indicate whether the quantity reported is gallons or pounds.
3. Find the appropriate range value in Table 1.
4. Enter this range value in the CODE column.

### EXAMPLE

The 25,000-gallon shipment of solvent you received last year was gradually used up and completely gone in 315 days. The sum of the daily volume levels in the tank is 4,536,000 gallons. By dividing 4,536,000 gallons by 315 days on-site, you calculate an average daily amount of 14,400 gallons.

You already know that the solvent contains 10% benzene which is a hazardous chemical. Since 10% of 14,400 is 1,440, you figure that you had an average of 1,440 gallons of benzene. You also know that the density of benzene is 7.29 pounds per gallon, so you multiply 1,440 by 7.29 to get a weight of 10,500 pounds.

Then you look at Table I and find that the range value 04 corresponds to 10,500. You enter 04 as the Average Daily Amount.

## MAXIMUM AMOUNT PER CONTAINER

1. For each hazardous chemical, estimate the amount stored in the largest container at the facility
2. Enter the actual pounds or gallons in the GAL/LBS column. Be sure to indicate whether the quantity reported is gallons or pounds.
3. Find the appropriate range value in Table 1.
4. Enter this range value in the CODE column.

## NUMBER OF DAYS ON-SITE

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

### EXAMPLE

The solvent composed of 10% benzene was present for 315 days at your facility. Enter 315 in the space provided.

## STORAGE CODES AND STORAGE LOCATIONS

List all non-confidential chemical locations in this column, along with storage types/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 location for the same chemical.

**Storage Codes:** Indicate the types and conditions of storage present.

- a. *Look at Table II.* For each location, find the appropriate storage type and enter the corresponding code in the first box.
- b. *Look at Table III.* For each location, find the appropriate storage types for pressure and temperature conditions. Enter the applicable pressure code in the second box. Enter the applicable temperature code in the third box.

### TABLE II - STORAGE TYPES

CODES	Storage Conditions
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 jug
N	Plastic bottles or jugs
O	Tote bin
P	Tank wagon
Q	Rail car
R	Other

### Table III - TEMPERATURE AND PRESSURE CONDITIONS

#### CODES Storage Conditions

##### (PRESSURE)

- 1 Ambient pressure
- 2 Greater than ambient pressure
- 3 Less than ambient pressure

##### (TEMPERATURE)

- 4 Ambient temperature
- 5 Greater than ambient temperature
- 6 Less than ambient temperature but not cryogenic
- 7 Cryogenic conditions

### EXAMPLE

The benzene in the main building is kept in a tank inside the building, at ambient pressure and less than ambient temperature.

Table II shows that the code for a tank inside a building is C. Table III shows you that the code for ambient pressure is 1, and the code for less than ambient temperature is 6.

You enter: C16

**Storage Locations:** Provide a brief description of the precise location of the chemical, so that emergency responders can locate the chemical easily. You may find it advantageous to provide the optional site plan or site coordinates as explained below.

For each chemical, indicate at a minimum the building or lot. Additionally, where practical, the room or area may be indicated. You may respond in narrative form with appropriate site coordinates or abbreviations.

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

**Optional attachments:** if you choose to attach one of the following, check the appropriate Attachments box at the bottom of the Tier Two form.

- a. *A site plan* with site coordinates indicated for buildings, lots, areas, etc. throughout your facility.
- b. *A list of site coordinate abbreviations* that correspond to buildings, lots, areas, etc. throughout your facility.
- c. *A description of dikes and other safeguard measures* for storage locations throughout your facility.

### EXAMPLE

You have benzene in the main room of the main building, and in tank 2 in tank field 10. You attach a site plan with coordinates as follows: main building=G-2, tank field 10=B-6. Fill in the Storage Location as follows:

B-6 [ Tank 2 ] G-2 [Main Room]

## **CONFIDENTIAL INFORMATION**

Under Title III, Section 324, you may elect to withhold location information on a specific chemical from disclosure to the public. If you choose to do so:

- Enter the word “confidential” in the Non-Confidential Location section of the Tier Two form on the first line of the storage locations.
- On a separate Tier Two Confidential Location Information Sheet, enter the name and CAS number of each chemical for which you are keeping the location confidential.
- Enter the appropriate location and storage information, as described above for non-confidential locations.
- Attach the Tier Two Confidential Location Information Sheet to the Tier Two form. This separates confidential locations from other information that will be disclosed to the public.

## **CERTIFICATION**

Instructions for this section are included on page one of these instructions.