

# The Ultimate Tier II Checklist



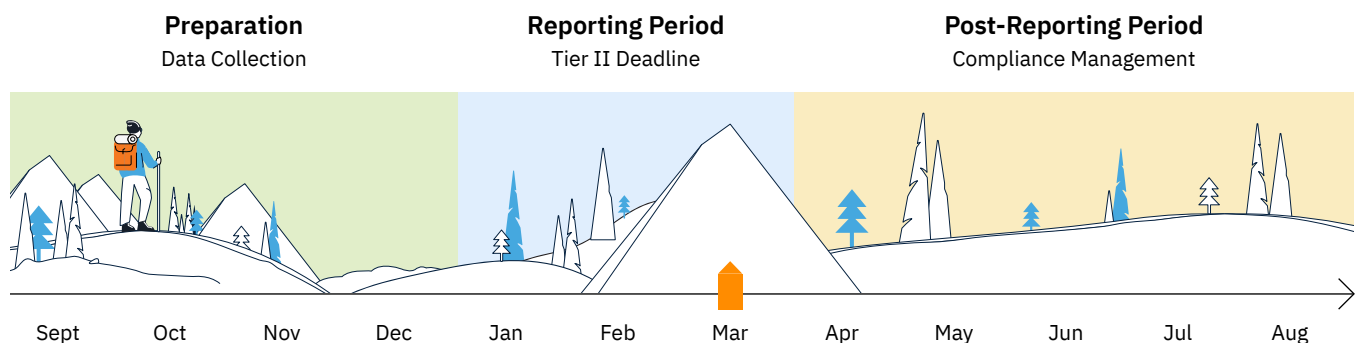
## Your All-Seasons Guide to Tier II Reporting

### A YEAR-ROUND JOURNEY

Tier II reporting is challenging even to the most experienced compliance teams, with managing data seen as the most significant hurdle. We have transformed compliance programs for fast-growth enterprises across the US with a proactive approach guided by our in-house regulatory compliance experts to **improve process efficiency, ensure data accuracy,** and allow EHS professionals to have **increased foresight to make data-driven compliance decisions.**

### What are the benefits of a proactive compliance program?

- By staying vigilant and checking Tier II reporting requirements by state early on, **EHS teams can stay continuously compliant to exact federal, state, and local requirements.** This can be done by verifying criterias such as reporting thresholds and Local Emergency Planning Committee (LEPC) contacts prior to reporting season, to properly address complex state submission requirements to SERCs and fire departments, as well as reporting portal instructions.
- Proactively monitoring chemical inventories year-round will help you **stay agile to reporting needs** by giving you proper visibility on whether new chemicals were added to the past year's inventory and foresight to **determine whether an SDS submission is necessary** in addition to the EPCRA Tier II report.
- Evaluating the needs for reporting fee management prior to reporting season can help EHS teams **anticipate the complex and manual tasks that come with processing payments** for reports in different jurisdictions.



## QUESTIONS TO ASK YOURSELF & YOUR TEAM

- ▶ How would I know that a new chemical is being used onsite, or if a chemical quantity increased? Would it be captured in a new chemical review process?
- ▶ Do I have contacts at my LEPC and SERC who I can contact with questions? What questions would they ask if they came onsite?
- ▶ Does my site map and emergency response plan need updated? Are my SDSs the most the current version available?
- ▶ Do we have a contact with our local fire department? Have we scheduled an inspection with them? Are they familiar with our site?

## PREPARATION CHECKLIST



- The first step is gathering purchasing information and inventory data to make sure new chemicals or quantities are captured.**
  - Review your product inventory and check whether a chemical contains a Hazardous Substance or Extremely Hazardous Substance (EHS). To determine which chemicals are considered an EHS refer to 40 CFR Part 355.
  - Did a new chemical exceed the reporting threshold at any time during the past year? This requires an EPCRA notification to be filed.
  - Review and update your existing site plan.
- Next, compare the current year's purchasing and facility contact information from previously-submitted Tier II reports.**
  - Keep an eye out for emergency contact information that has changed. This requires an EPCRA notification to be filed.
- Check the status for state-specific reporting requirements and become familiar with your individual state portals and how any changes will impact your report.**
  - Log into the state portal to ensure your login information and password is up to date.
  - Does the state or local regulatory body require anything specific for the emergency plan? Review specific requirements and update site or emergency plans based on state or LEPC requirements.
- Questions about reporting thresholds or requirements for Tier II? Reach out to your SERC, LEPC, and local fire department early on.**
  - Maintain a great working relationship with your LEPC or Fire Departments to take advantage of exercise opportunities and assistance with onsite response.

## QUESTIONS TO ASK YOURSELF & YOUR TEAM

- ▶ Is everyone on the contact list still employed and/or relevant for this report?
- ▶ Have there been any major changes in process or personnel this year? How could that affect my Tier II report?
- ▶ Has the facility introduced any new chemicals in the past year?
- ▶ Who would be a good onsite resource to double-check the report and look for gaps?

## REPORTING CHECKLIST



- Compare the current reporting data you have against last year's report to see if there are any changes in quantities and thresholds. Verify with stakeholders to make any changes.
- Equally important is verifying that the facility or emergency contact information listed on your reports is also up to date. As the main point of contact for SERCs, LEPCs, and the Fire Department, it is crucial that this personnel information is regularly updated for emergency and non-emergency correspondence.
- Review your existing chemical inventory and add any new chemicals that exceeded reporting thresholds. Additionally, remove chemicals that were no longer on site the previous year or no longer exceed reporting thresholds.
- Compare your reporting data from the previous year to make sure all hazardous chemicals that require an emergency notification are accounted for.
- Update and upload any new documents such as site maps and SDSs.
- Once you've inputted your facility environmental data into the required reporting format of each regulatory body, stakeholders must verify the information before submission.
- Finalize the Tier II report for submission and verify it's going to the appropriate regulatory body.
- Submit the Tier report to the SERC. To check the reporting procedure and requirements for your state, visit the EPA's State Tier II Reporting Requirements.
- If applicable to your state or locality, submit a copy to the LEPC and Fire Department. Some states require submitting directly, while some states will take care of those submissions for you. Check with your SERC.
- Pay filing fees associated with your Tier II report. Some state portals accept payment fees directly, whereas other states send your facility a bill and require you to pay by check or credit card.
- Add any confirmation emails, receipts, or proof of mailing you received to your records. This demonstrates that you successfully submitted your report in case of audits.
- Check for new or updated exemption applicabilities that exclude filing Tier II reports for certain chemicals and thresholds.

## QUESTIONS TO ASK YOURSELF & YOUR TEAM

▶ How can I ensure that background documentation is available for future inspections or audits, even if I'm "hit by a bus?"

▶ What information was I scrambling for this year, and how can I get it earlier next year?

### POST-REPORTING CHECKLIST



- Centralize all submitted information and store documentation such as compliance reports, fee payment receipts, proof of mailing, etc. in one location that is easily accessible to an EHS manager or emergency contacts.
- Evaluate the reporting season with stakeholders to discuss how the reporting process went, what worked, and identify any need for improvement.
- Confirm with your SERC and LEPC that there are no outstanding invoices and that all filing fees have been paid.



### EVERGREEN TASKS (Things to review on a monthly basis)

- Confirm local, state, or federal requirements haven't changed.
- Review emergency contact information; file required EPCRA 302 notification if the facility emergency coordinator has changed.
- Contact State Emergency Response Commission (SERC) to clear up any questions prior to reporting period.

**Need help proactively managing your Tier II prep?**

Reach out to an Encamp specialist today at [encamp.com/demo](https://encamp.com/demo).