



Tier 2 Chemical Inventory Reporting Informational Sheet

For more information about Tier 2 reporting, go to the Iowa Department of Natural Resources (Iowa DNR) website at www.iowadnr.gov/tier2.

Who is Required to Submit a Tier 2 Chemical Inventory Report?

If you have a hazardous chemical at your facility that's required to have a safety data sheet (SDS) and is over the reporting threshold quantity at any point in the year, you must submit a Tier 2 report during the reporting window (January 1 - March 1) of the following year.

The requirements for SDSs are set forth under the Occupational Safety and Health Administration (OSHA) Hazardous Communication Standard ([29 CFR 1910.1200](http://www.ecfr.gov/current/title-29/chapter-I/subchapter-H/part-1910/section-1910.1200)).

The Reporting Thresholds for Tier 2

Extremely Hazardous Substances (EHS): 500 pounds or the Threshold Planning Quantity (TPQ), whichever is lower. The TPQ is found in the list of lists at www.epa.gov/epcra/consolidated-list-lists.

- If you are uncertain if the chemical is an EHS, consult the list of lists as well. Any chemical that is listed *and* has a value in the Section 302 column is an EHS, otherwise it is not.

Gasoline (all grades combined) at a retail gas station: 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. Otherwise the reporting threshold is 10,000 pounds for gasoline that doesn't meet the preceding criteria or is not at a retail gas station.

Diesel fuel (all grades combined) at a retail gas station: 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 UST requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281. Otherwise the reporting threshold is 10,000 pounds for diesel fuel that doesn't meet the preceding criteria or is not at a retail gas station.

For all other hazardous chemicals: 10,000 pounds or more.

Exemptions

You do not have to report substances for which you are not required to have an SDS under the OSHA regulations, or that are excluded from the definition of hazardous chemical under the Emergency Planning and Community Right-to-Know Act (EPCRA) section 311(e).

Each of the following substances are excluded under EPCRA section 311(e):

- Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.
- Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use.
- 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. Present in the same form and concentration as a product packaged for distribution and use by the general public means a substance packaged in a similar

manner and present in the same concentration as the substance when packaged for use by the general public, whether or not it is intended for distribution to the general public or used for the same purpose as when it is packaged for use by the general public;

- In a research laboratory or hospital or other medical facility under the direct supervision of a technically qualified individual; or
- In routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

How to Submit a Tier 2 Report

You must submit your Tier 2 report to the State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC), and your local fire department. See below for how to submit to each entity.

- SERC: E-Plan Software: tier2.erplan.net/onlinefiling/filingLogin.htm (Training can be found at this link too)
- LEPC: Each county has a preferred method, refer to the “County Coordinator List” at www.iowadnr.gov/tier2
- Local Fire Department: Mail or Email the Tier 2. You can also call to check their preferred method

When Tier 2 Reports are Due

The reporting window opens on January 1 and reports are **due by March 1**.

Reporting New Chemicals Obtained Outside of the Tier 2 Reporting Dates

When a facility increases hazardous chemicals or obtains new hazardous chemicals, such that a previously unreported substance is now above the reportable quantity (see “The Reporting Thresholds for Tier 2” section), they may have to make a notification separate from a Tier 2 report. Each newly reportable substance is required to be notified to the same entities (SERC, LEPC, and Local Fire Department) as a Tier 2 report within 3 months of the substance becoming reportable. The notification must either contain the SDS for each newly reportable hazardous chemical or a list of the newly reportable hazardous chemicals. This is a one-time submittal. A Tier 2 report can satisfy this requirement if the Tier 2 reporting window falls within the 3-month deadline of notifying about the new reportable hazardous chemical. See below for how to make this notification to each entity.

- SERC: Email to iowa.epcra@dnr.iowa.gov
- LEPC: Email to the county contact on the “County Coordinator List” at www.iowadnr.gov/tier2
- Local Fire Department: Mail or email the notification. You can also call to check their preferred method

Helpful Resources

This document serves as a starting point and it is common to have follow-up questions. Check out these helpful resources and contact Simon Stecker for any assistance.

- EPA Tier 2 Website: www.epa.gov/epcra/hazardous-chemical-inventory-reporting
- Iowa DNR Tier 2 Website: www.iowadnr.gov/tier2
- E-Plan Website: tier2.erplan.net/onlinefiling/filingLogin.htm
- Codified Federal Regulations: [40 CFR Part 370](http://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-370)
- Email for Tier 2 inquiries: iowa.epcra@dnr.iowa.gov
- Adam Broughton | DNR EPCRA Lead | (515) 204-3352 | adam.broughton@dnr.iowa.gov