

## INSTRUCTIONS TIER II INVENTORY FORM

### BACKGROUND

Section 312(a) of the [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) requires the owner or operator of facilities subject to Section 311 of EPCRA to submit an emergency and hazardous chemical inventory form by March 1 of each calendar year to the [State Emergency Response Commission \(SERC\)](#), the [Local Emergency Planning Committee \(LEPC\)](#), and the local fire department.

Section 312 describes two reporting “tiers” for providing information on hazardous chemicals at a subject facility. As required by Section 312(g), EPA published two emergency and hazardous chemical inventory forms, Tier I and Tier II, for facilities to report information on hazardous chemicals. The Tier I form contains general information on hazardous chemicals at the facility. The Tier II form contains specific information on hazardous chemicals present at the facility.

Since the promulgation of the final rule published in 1987, states were given the flexibility to implement hazardous chemical inventory reporting requirements, as appropriate for the needs of their community. This flexibility included adding more chemicals, setting lower reporting thresholds and creating a reporting form or format that included information beyond that required by the federal reporting requirements.

In addition, EPA published a guidance in a Federal Register Notice on July 13, 2010 ([75 FR 39852](#)) on various reporting options that states may use to collect information on hazardous chemicals from facilities.

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***Note:** The instructions provided here are specific to the federal Tier II inventory form. Facilities should contact their state for specific requirements and the reporting format for submitting the hazardous chemical inventory form.*

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### WHO MUST SUBMIT THE TIER II INVENTORY FORM?

This requirement applies 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) (also known as the Safety Data Sheet (SDS) for a hazardous chemical present at the facility.

The Tier II form does not have to be submitted if all of the chemicals located at your facility are excluded under Section 311(e) of EPCRA, as discussed below.

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**Note:** The MSDS (or SDS) requirements are specified in the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS), found in Title 29 of the Code of Federal Regulations (CFR) at [Section 1910.1200](#).

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### WHAT CHEMICALS ARE EXCLUDED?

Section 311(e) of 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 any 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; and
- 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.

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**Note:** These exclusions apply only to those substances that are used in the way they are described in section 311(e). A facility may have other chemicals that may be subject to reporting.

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### WHAT CHEMICALS ARE INCLUDED?

You must report the required information on the Tier II inventory form for each hazardous chemical as defined under 29 CFR 1910.1200(c) present at your facility in the previous calendar year in quantities equal to or greater than established threshold amounts (discussed below), unless the chemicals are excluded under Section 311(e) of EPCRA as specified above.

Hazardous chemical means any hazardous chemical as defined under 29 CFR 1910.1200(c) except that such term does not include substances excluded from section 311(e), as described above.

### REPORTING THRESHOLDS

Minimum thresholds have been established for Tier I/Tier II reporting in [40 CFR part 370](#).

These thresholds are as follows:

For Extremely Hazardous Substances (EHSs) designated under EPCRA Section 302 the reporting threshold is 500 pounds (or 227 kg.) or the threshold planning quantity (TPQ), whichever is lower. (EHSs and their TPQs are listed in 40 CFR part 355, [Appendix A](#) and [Appendix B](#)).

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 (SDS), the minimum reporting threshold is 10,000 pounds (or 4,540 kg.)

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***Note:** A retail gas station means a retail facility engaged in selling gasoline and/or diesel fuel principally to the public for motor vehicle use on land.*

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You need to report hazardous chemicals that were present at your facility at any one time during the previous calendar year at levels that equal or exceed these thresholds.

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***Note:** States may have lower reporting thresholds and additional chemicals covered by the state right-to-know regulations. Contact your state for any additional requirements.*

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### **WHEN TO SUBMIT THIS FORM?**

Owners or operators of facilities that have hazardous chemicals present at the facility at any one time in quantities equal to or greater than set threshold levels must submit either Tier I or Tier II form by March 1 annually regarding information on hazardous chemicals present at the facility in the previous calendar year.

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***Note:** All states currently require facilities to submit federal Tier II inventory form or the state developed Tier II inventory form in hard copy or the electronic format including on-line reporting and certification. Facilities should contact their state for the specific requirements for that state.*

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### **WHERE TO SUBMIT THIS FORM?**

Send the completed Tier II form to each of the following organizations:

- 1) Your State Emergency Response Commission (SERC)
- 2) Your Local Emergency Planning Committee (LEPC)
- 3) The fire department with jurisdiction over your facility

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***Note:** Contact your state for specific submission requirements.*

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## ***INSTRUCTIONS TO PAGE ONE OF THE TIER II INVENTORY FORM***

Please refer to the regulations at 40 CFR 370.42 for the required data elements on the Tier II inventory form that are specified below. For the definition of hazardous chemical, physical and health hazards and for other terms used in these Instructions, refer to the regulations at 40 CFR 370.66.

Each of the data element listed below are required unless it is indicated as “optional”.

### **REPORTING PERIOD**

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

### **IDENTICAL INFORMATION**

Check the box located at the top of page one of the form, if the information reported on page one is identical to that submitted last year. If any information has changed since the previous reporting year, make revisions as appropriate. Each data element must be provided even if it is identical to the submission in the previous calendar year.

### **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 (this is an optional data element.)
- Provide the latitude and longitude for the location of your facility. Facilities should use accepted practices to determine the latitude and longitude of the facility rather than just estimate the coordinates.
- 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.

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***Note:** 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.*

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- 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. 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 of your facility.
- Enter 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.

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*Note: This information is also 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.*

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### **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](#) (RMP), provide the 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** (optional)

Enter the name, mailing address, phone number, email address and Dun & Bradstreet number of the facility's parent company.

### **FACILITY EMERGENCY COORDINATOR**

Enter the name, title, email address, phone number and 24-hour phone number of the facility emergency coordinator that you are required to provide under EPCRA Section 303(d)(1).

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**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.*

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## **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, phone number and email address of at least one local person or office that can act as a referral if emergency responders need assistance in responding to a chemical accident at the facility. If there is more than one person assigned to this duty, provide the same information for that person. This contact should be someone at the location or close to the location where hazardous chemicals are stored.

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

## **CERTIFICATION**

The owner or operator or the officially designated representative of the owner or operator must certify that all information included in the Tier II submission is true, accurate, and complete. On the first page of the Tier II 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 Sheet as well as all attachments. An original signature is required on at least the first page of the submission. Subsequent pages must contain either an original signature, or a signature stamp.

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**Note:** *Facilities should contact their state for specific requirements for the submission and certification.*

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## ***INSTRUCTIONS FOR PAGE TWO OF THE TIER II INVENTORY FORM***

### **CHEMICAL INFORMATION SECTION**

This section of the Tier II form requires facilities to report specific information on the amounts and locations of hazardous chemicals. Separate fields are provided for reporting both pure chemicals and mixtures. Use additional pages if necessary.

For each entry, check the box indicating if the information is identical to the information submitted last year. Chemical descriptions, hazards, amounts, and locations must be provided even if the information is identical to that submitted last year.

### **TRADE SECRET CLAIM**

If you are withholding the name of a pure chemical or mixture as trade secret in accordance with criteria specified in EPCRA 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 at the same time you submit your Tier II form or the State equivalent to the Tier II form and must include substantiation. Trade secret regulations can be found in 40 CFR part 350. Trade secret substantiation form and instructions can be accessed online: <http://www2.epa.gov/epcra/epcra-trade-secret-forms-and-instructions>

### **CHEMICAL DESCRIPTION**

Separate fields are provided for reporting pure chemicals and mixtures. For each entry, check the box indicating if the information is identical to the information submitted last year.

To report mixtures, facilities have the option to report by the component or the mixture itself. However, as stated in the regulations at 40 CFR 370.14(b), the reporting option used must be consistent for both MSDS (SDS) and inventory reporting, unless it is not possible to do so. This means that, if the facility reports on a specific mixture as a whole for MSDS (SDS) reporting under Section 311, then the facility must report on that mixture also as a whole for the Tier II inventory reporting under Section 312.

#### **Pure Chemical:**

- Provide the chemical name (or common name of the chemical) as provided on the MSDS (SDS). Enter the Chemical Abstract Service (CAS) registry number.
- Indicate if the chemical is an EHS. Check the box “yes” or “no”.
- Check box for the appropriate descriptor for the chemical: solid, liquid, or gas.
- If you are withholding the name of the chemical as trade secret, check the box for “trade secret”.

#### **Mixture:**

If a hazardous chemical is part of a mixture, you have the option of reporting 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 (remainder of the solution is water), you can indicate either 100 lbs. of the mixture or 5 lbs. of the hazardous chemical).

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**Note:** The option used for each mixture at your facility must be consistent with the option used in your Section 311 reporting.

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Because EHSs are important to local emergency planning requirement under EPCRA Section 303, EHSs have lower reporting thresholds under EPCRA section 312. The amount of an EHS at a facility (both pure EHSs 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 determining whether reporting threshold has been met or exceeded. Once you determine whether a threshold for an EHS has been reached, you may report the mixture or product name as it appears on the MSDS (SDS). You must also report any EHSs present in the mixture. You do not need to report any non-EHSs in the mixture, but may if you wish to do so. Although you have an option to report either the mixture or the EHS, as provided in 40 CFR 370.14, you must be consistent with your EPCRA section 311 reporting.

For any mixture containing an EHS that the facility is reporting as a mixture, the facility must check the box “yes” to indicate that the mixture contains an above-threshold EHS. You must also write the name of the EHS(s) contained in the mixture on the line provided. You are not required to list any non-EHSs in the mixture.

- Provide the name of the mixture, product name or trade name as provided on the MSDS (SDS).
- Enter the Chemical Abstract Service (CAS) number of the mixture or product, if available.
- Check box for the appropriate descriptor: solid, liquid, or gas.
- If you are withholding the name of the mixture as trade secret, check the box “trade secret”.
- If the mixture contains any EHS, check the box “yes”, and then enter the name and CAS number of each EHS in the mixture. You are not required to list non-EHSs in the mixture, but may report if you wish to do so.

#### **PHYSICAL AND HEALTH HAZARDS**

For each chemical you have reported, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 CFR 370.66. The physical and health hazards are defined in the OSHA Hazard Communication Standard, 29 CFR 1910.1200, which EPA has adopted in a Federal Register notice on June 13, 2016 (81 FR 38104). See also the correction notice published on July 22, 2016 (81 FR 47311).

These Federal Register notices and the fact sheet are available online:

<https://www.epa.gov/epcra/epcra-non-section-313-amendments-and-guidance#technical amendment>



Check all the boxes that apply to each of the chemical that you are reporting on the Tier II form.

**Table 1. Physical and Health Hazards**

| Physical Hazards                                | Health Hazards   |
|---|--|
| Flammable (gases, aerosols, liquids, or solids) | Carcinogenicity  |
| Gas under pressure                              | Acute toxicity (any route of exposure)                       |
| Explosive                                       | Reproductive toxicity  |
| Self-heating                                    | Skin Corrosion or Irritation                                 |
| Pyrophoric (liquid or solid)                    | Respiratory or Skin Sensitization                            |
| Oxidizer (liquid, solid or gas)                 | Serious eye damage or eye irritation                         |
| Organic peroxide                                | Specific target organ toxicity (single or repeated exposure) |
| Self-reactive                                   | Aspiration Hazard  |
| Pyrophoric gas                                  | Germ cell mutagenicity                                       |
| Corrosive to metal                              | Simple Asphyxiant  |
| In contact with water emits flammable gas       | Hazard Not Otherwise Classified (HNOC)                       |
| Combustible Dust                                |  |
| Hazard Not Otherwise Classified (HNOC)          |  |

**MAXIMUM AMOUNT**

- For each pure chemical or mixture that you are reporting, estimate the maximum amount present at your facility on any single day during the reporting period.
- If you are reporting a mixture, you must list any EHS(s) present in the mixture and report the maximum amount and the CAS number(s) of each EHS present in the mixture. Find the appropriate range value code in **Table 2**.
- Enter this range value as the maximum daily amount.

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

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**Table 2. Reporting Ranges**

| Range Codes | Weight Range in Pounds |                         |
|-------------|------------------------|-------------------------|
|             | From                   | To                      |
| 01          | 0                      | 99                      |
| 02          | 100                    | 499                     |
| 03          | 500                    | 999                     |
| 04          | 1,000                  | 4,999                   |
| 05          | 5,000                  | 9,999                   |
| 06          | 10,000                 | 24,999                  |
| 07          | 25,000                 | 49,999                  |
| 08          | 50,000                 | 74,999                  |
| 09          | 75,000                 | 99,999                  |
| 10          | 100,000                | 499,999                 |
| 11          | 500,000                | 999,999                 |
| 12          | 1,000,000              | 9,999,999               |
| 13          | 10,000,000             | Greater than 10 million |

**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. Then you look at **Table 2** and find that the range value 06 corresponds to 18,225. You enter 06 as the Maximum Amount.

**AVERAGE DAILY AMOUNT**

- For each pure chemical or mixture that you are reporting, estimate the average 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 2**.
- Enter this range value as the Average Daily Amount.

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

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**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 2** and find that the range value 06 corresponds to 10,500. You enter 06 as the Average Daily Amount.

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*Note: Your state may require you to report exact amount for maximum amount and average daily amount rather than in ranges. Check with your state for specific requirements.*

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**NUMBER OF DAYS ON-SITE**

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

**Example:**

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

## STORAGE TYPES, CONDITIONS, AND LOCATIONS

List all non-confidential locations of hazardous chemicals along with storage types and conditions associated with each location. Please note that a particular chemical or mixture may be located in several places around the facility.

### Storage Types and Conditions

Enter the types and conditions of storage for each hazardous chemical that you are reporting.

**Table 3.** This table lists examples of some of the common storage types that facilities use at their site. You may provide a detailed description for the storage type at your facility.

**Table 3. Storage Types**

|                              |
|------------------------------|
| Above ground tank            |
| Below ground tank            |
| Tank inside building         |
| Steel drum                   |
| Plastic or non-metallic drum |
| Can                          |
| Carboy                       |
| Silo                         |
| Fiber drum                   |
| Bag                          |
| Box                          |
| Cylinder                     |
| Glass bottles or jugs        |
| Plastic bottles or jugs      |
| Tote bin                     |
| Tank wagon                   |
| Rail car                     |
| Battery                      |

**Table 4.** For each location, find the appropriate storage types for pressure and temperature conditions. You may provide a description for the various conditions at your facility. This table provides some examples of pressure and temperature conditions.

**Table 4. Pressure and Temperature Conditions**

|                                  |
|----------------------------------|
| (PRESSURE)                       |
| Ambient pressure;                |
| Greater than ambient pressure    |
| Less than ambient pressure       |
| (TEMPERATURE)                    |
| Ambient temperature              |
| Greater than ambient temperature |
| Less than ambient temperature    |
| but not cryogenic                |
| Cryogenic conditions             |

## Storage Locations

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### **CONFIDENTIAL LOCATION INFORMATION**

*Under EPCRA Section 324, you may elect to withhold location information on a specific chemical from disclosure to the public. If you choose to do so, you should submit the Tier II Confidential Location Information Sheet along with your Tier II form to the SERC, LEPC and the fire department. This separates confidential locations from other information that will be disclosed to the public. The Confidential Location Information Sheet can be found at <https://www.epa.gov/epcra/epcra-tier-ii-confidential-location-information-form>*

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On the Confidential Location Information Sheet, indicate if your facility wishes to claim the location information “confidential” for any of the pure chemical or mixture that you are reporting. Check the box “yes” or “no”.

If the location is non-confidential, provide a brief description of the precise location of each chemical, so that emergency responders can locate the area easily. If the chemical is present in more than one building, lot, or area location, list each location as appropriate.

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.

### **OPTIONAL ATTACHMENTS**

If you choose to attach one of the following, check the appropriate optional attachments box at the bottom of the chemical reporting section of the Tier II form.

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

#### **Example:**

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

### **ADDITIONAL REPORTING INFORMATION** (optional)

This column is for facilities that may wish to report hazardous chemicals below the reporting thresholds and/or to report any additional state or local requirements. Check the appropriate box and follow the same procedures as described above for reporting each hazardous chemical or for any mixture that contains a hazardous chemical.