

TIER TWO REPORTING THRESHOLDS

DO YOU NEED TO FILE THE TEXAS TIER TWO REPORT?

You need to file an electronic Tier2 Submit data file for Calendar Year 2012 if:

You are the operator of a facility which has one or more **hazardous chemicals** [defined by the federal Occupational Safety and Health Administration (OSHA) Hazard Communication Standard as any element, chemical element, mixture of elements and/or compounds which is a physical hazard or a health hazard] **present at any one** time during calendar year 2012 (January 1 through December 31, 2012), **AND**

The *hazardous chemical* met **or exceeded**:

- a) **10,000 pounds** at any one time during 2012 **OR**
- b) The **Threshold Planning Quantity (TPQ) in pounds or 500 pounds, whichever amount is less** (at any one time during 2012), for any of the chemicals listed on the **Extremely Hazardous Substances (EHS) List**. *

If your facility **did not** meet or exceed these reporting thresholds **at any time** between January 1, 2012 and December 31, 2012, then your facility is **exempt** from filing the electronic Tier2 Submit data file for Calendar Year 2012. Please keep in mind that if your facility should exceed the Tier Two reporting thresholds at any time in future, then your facility will need to file an Initial Tier Two Report (electronic Tier2 Submit data file and appropriate filing fee).

Retail gasoline/diesel service station operators that meet specific criteria are allowed higher reporting thresholds for gasoline and diesel. If you are the operator of retail gasoline/diesel service station operator, please refer to the Tier Two Reporting Thresholds for Retail Fuel Service Stations to see if these higher thresholds will be applicable to your facility.

If your facility **met or exceeded** the reporting thresholds listed above for any hazardous chemicals, and the hazardous chemicals **are not covered under any of the Tier Two Exemptions**, then you should prepare an electronic Tier2 Submit data file, using the Tier2 Submit software program. There is an email option for submitting this file or you may save it to a CD and mail the CD through the United States Post Office. You also be required to submit a Fee Payment Form and the appropriate filing fee.

Also, send the electronic Tier2 Submit data file to the **local fire department** having jurisdiction over the reporting facility **and** to the **Local Emergency Planning Committee (LEPC)** for the county or area in which the reporting facility is located. Please contact your fire department and LEPC to determine how the Tier2 Submit data file should be submitted (as a Tier2 Submit data file on disk sent via regular mail service, as a Tier2 Submit file sent via electronic mail, or as a hard copy printed version of the Tier2 Submit data file).

**Please note: The List of Extremely Hazardous Substances is not a complete list of all reportable hazardous chemicals. The Tier Two Chemical Reporting Program cannot provide a complete list of all hazardous chemicals that may be subject to Tier Two reporting, since over 650,000 chemical products are now considered "hazardous" under the federal and state right-to-know laws. A facility must use MSDS information to determine if the product is considered to be a "hazardous chemical" under the OSHA Hazard Communication Standard.*