

TIER TWO INSTRUCTIONS

The following links will assist in clarifying any laws and answering any questions pertaining to Tier II filing.

- [Louisiana Revised Statutes \(LRS\) 30:2361 - 30:2380](#)
- [Louisiana Administrative Code \(LAC\) - Title 33 Part V Subpart 2 Chapter 101](#)
- [40 CFR 68](#)
- [40 CFR 355](#)

Failure to comply with the state rules and/or submission of an incorrectly completed Tier Two form could result in enforcement action.

**PLEASE READ THIS DOCUMENT IN ITS ENTIRETY
PRIOR TO FILING YOUR TIER II REPORT.**

WHEN AND WHERE TO SUBMIT THIS FORM

On or before March 1 of each year, owners or operators must electronically submit the Tier Two form to:

- (1) The Louisiana Emergency Response Commission,
- (2) The Local Emergency Planning Committee (LEPC) of the parish in which the facility is located.
- (3) The local fire department having jurisdiction over the facility. (Contact your local fire department to determine if they have internet capabilities.)

PENALTIES

Any owner or operator who violates any Louisiana reporting requirement regarding submission of the Tier Two form shall be liable to the State of Louisiana for civil penalties of up to \$25,000 per violation.

REPORTING YEAR

Report the chemical inventories that meet the reportable threshold you had on site on any single day for the preceding calendar year, beginning January 1 and ending December 31. Please remember that you are reporting for the previous calendar year just like filing taxes.

FILING

Note: If your company has filed Tier II inventories in the past but did not file for the previous filing year, the program will not allow you to file for the present reporting year. Please contact the RTK unit either by e-mail, RTK.Tier2@dps.la.gov, phone, 225-925-4893, or fax 225-925-4048, for assistance.

If you are e-filing for the first time, visit the Louisiana State Police Tier II Inventory Filing Web Site, select the Obtain Web ID button on the green toolbar on the Welcome page, and answer

the questions and complete the contact information fields. Your User ID and password will be emailed to you within three business days.

Otherwise, after logging in with your User ID and password, you will click on the facility number for the correct reporting year. You will then come to a page that says Facility Information. Click on the **GRAY EDIT BUTTON** in the right hand upper side of the document under the **RED toolbar**. A check box on the left hand side of the document above the gray Information line will appear that shows “Ready for Filing”. Check that box to continue the Tier II filing process. Make any necessary changes or corrections and then click on the **GRAY SAVE BUTTON**. If there are corrections or changes to be made in any category, i.e. facility information, chemical inventory, or contact information please do so before going to the Filing Worksheet. If no changes or corrections are necessary, click on the **FILING WORKSHEET** tab in the **RED** Tool Bar to complete your submission of Tier II.

If you are submitting for the **FIRST** time, enter all the information on the facility and the chemicals before going to the filing worksheet to complete your submission of Tier II.

Once you go to the Filing Worksheet you are required to answer three questions about your facility/facilities.

1. “Number of Employees less than or equal to 9?”
2. “Annual Gross Receipts under Two Million?”
3. Whether or not your facility is subject to any exemptions. This is only relevant to facilities that are owned and/or operated by a City, the Parish, the State, or the Federal Government. Facilities that only have LPG (Liquefied Petroleum Gas) on hand and no other chemicals of a reportable threshold, and adhere to the LPG Commission regulations can select the LPG Gas Distributor exemption.
NOTE: If you have a doubt as to whether your facilities are exempt or not please contact the Right-to-Know Unit for further clarification. Facilities filing under an exemption will be monitored.

Click the Calculate button at the bottom of the page.

At this point, prior to selecting your method of payment, you must enter the contact information of the person that is actually filing the Tier II information. In the Tier II Filer section you will have to include the name, title, mailing address, office phone number, fax number, cell phone number, and email address of the filer. If you do not have a fax number or cell phone number, just re-enter your office phone number.

Scroll down to the bottom of the page and select your method of payment, either Check/Money Order or Credit Card. Once you select a method of payment, a “Next” button will pop-up leading you to the next page.

NOTE: Facilities that fall under one of the above exemptions must select **Check/Money Order** and click the “Next” button to reach the Invoice page.

If Check/Money Order is selected this will bring you to the Invoice page. This page will have “Invoice” at the top of the page. You will need to print out a copy of the Invoice and mail it to the address listed on the Invoice with your payment. If no payment is due, you still need to send a copy of the Invoice to the address listed on the Invoice.

If Credit Card is selected this will bring you to a secure page for you to input your necessary Credit Card information. You will then be taken to the Invoice page, which you will need to print and send to the address listed on the Invoice.

NOTE: Know which payment option you will use. Once you select one method of payment you cannot go back in your browser and select the other.

YOU WILL HAVE ONE OPPORTUNITY TO PRINT YOUR INVOICE PAGE.

WE CANNOT DUPLICATE AN INVOICE PAGE IN THE EVENT THAT YOU DO NOT PRINT ONE.

YOU HAVE NOT COMPLETED YOUR TIER II FILING UNTIL YOU REACH THE INVOICE PAGE, THE PAGE THAT HAS “INVOICE” AT THE TOP.

THE “FILING OPTIONS RESULTS” PAGE IS NOT THE INVOICE.

FACILITY STATUS

Under Facility Status, click on the appropriate status indicating whether the facility is: active (operated one or more days during the preceding calendar year); sold (be sure to fill out the New Owner Information section); closed (if operated any time during the preceding calendar year, you must complete the entire form); P & A (plugged and abandoned if you are reporting a capped oil well). Provide the date when the facility was sold, closed, or plugged and abandoned. **IF YOUR FACILITY WAS CLOSED OR SOLD DURING THE FILING YEAR, DO NOT DELETE YOUR CHEMICAL INVENTORY PRIOR TO FILING.**

FACILITY IDENTIFICATION

Enter the company name (such as: Texaco Exploration and Production) and facility name (such as Texaco Exploration and Production - Paradis Field). Do not use working names. Your company name should match your letterhead. If you are filing several Tier Two submittals for multiple facilities operated by your company, enter your company name followed by your facility name (example: Texaco Exploration and Production – Paradis Field). On additional Tier

Two filings, be consistent and list your company name first (example: Texaco Exploration and Production - Lake Barre Field). This allows the Right-to-Know Unit to search for multiple Tier Two submittals filed by the same company.

Check the appropriate Facility Type (Fixed Site, Oil Field, or Pipeline).

The physical address should reflect the full street address or state road, as well as the coordinates (latitude and longitude) on which your facility is located. Do not use post office boxes for the physical address. If a street or road address is not available, enter other appropriate identifiers that describe the physical location of your facility (e.g. "five miles from the intersection of Hwy. 94 and La. 135 on unmarked gravel road"). Include city, state, zip code and **parish where the facility is located**. Use address #2 for longer physical addresses. The mailing address should either be the street address or a post office box. **Do not use a corporate mailing address**. Include city, state, and zip code.

Enter the primary Standard Industrial Classification (SIC) code for your facility. The SIC code may be obtained by consulting the Standard Industrial Classification Manual available at most libraries or on the Internet. Enter the North American Industry Classification System (NAICS) code. Enter the Dun and Bradstreet number if available.

Enter whether or not the facility where hazardous materials are stored is manned or unmanned; and enter the corresponding maximum number of people that could be at the facility at any given time.

Enter whether or not your facility is subject to the Toxic Release Inventory (TRI) program.

- If your facility has a TRI number, enter it in the provided TRI Facility ID number field.

Enter whether or not the facility is subject to the Chemical Accident Prevention under Section 112(r) of CAA (40 CFR part 68, also known as Risk Management Program - RMP).

- If your facility is subject to Chemical Accident Prevention under Section 112(r) of CAA, enter your RMP number in the provided field.

Enter whether or not the facility is subject to the Emergency Planning notification requirement under Section 302 of EPCRA (40 CFR part 355).

- If the answer to the above question was yes, then it is mandatory that you fill out the "Facility Emergency Coordinator Contact Information" section.

OWNER/OPERATOR INFORMATION

Check off whether you are the owner or the operator of the facility. Enter the company name or the owner's or operator's full name, mailing address, phone number, fax number and e-mail

address. These are the addresses to which all electronic or hard copy correspondence regarding Tier II filing will be sent.

If your facility is owned by a parent corporation, complete the section titled "Parent Company Contact Information."

NEW OWNER INFORMATION

If a facility was sold during the calendar year for which the form is being filed, complete this section. Be sure to indicate the date on which the facility was sold. Please note that if you owned/operated the facility for one or more days during the preceding calendar year and had hazardous materials present at or above the threshold, you must complete the entire form. Number of days on-site after each chemical should reflect your period of ownership/operation.

If a facility is marked sold, that facility ID number will not be used again. The new owner must go to the Tier II Inventory Filing website and create a new facility listing under the User Maintenance section.

EMERGENCY CONTACT #1 AND #2

Enter the name, title, and work phone number (not answering machine or voice mail) of at least one local person or office who can act as a referral if emergency responders need assistance when responding to a chemical accident at your facility. If there is no specific person accountable (e.g. facilities which operate 24 hours a day), list the title of the responsible party (e.g. shift supervisor).

Provide an emergency phone number where such emergency chemical information will be available 24 hours a day, every day. If applicable, please provide pager, fax, cell phone, and email information.

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.

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. Many material safety data sheets or safety data sheets (MSDS or SDS) include this density factor.

Pure Chemicals - If the substance you are reporting is a pure chemical, click on New Pure, then enter the Chemical Abstract Service number (CAS #) for the chemical in the space provided. The chemical name should be used when reporting a pure chemical (e.g. Chlorine). For example, you have chlorine on hand as a liquid. You enter the CAS # for chlorine, then check "pure" as well as "liquid" and EHS.

Mixtures - For mixtures, click on New Mixture. Refer to the MSDS or SDS for the material being reported and its chemical components. Note: Enter the CAS # of the mixture as a pure if it has been assigned a CAS # distinct from its components.

Chemical State - Under chemical state, enter solid **or** liquid **or** gas. (Only one physical state can be entered.) If a material is present in more than one state, each state must be entered separately. Example: Oxygen is present in both liquid and gas form at your facility. Create one pure chemical entry for oxygen as a liquid, then another entry for oxygen as a gas. Therefore, oxygen will be listed twice in your chemical inventory.

Extremely Hazardous Substances - Indicate whether the substance you are reporting is an Extremely Hazardous Substance (EHS) or is a mixture containing an EHS by checking the EHS block.

Chemical Abstract Service Number - Enter the CAS # information as provided on the MSDS or SDS. If the CAS # is not available, complete the mandatory CAS # field by entering the number one (1). Do not use a hyphen to separate the CAS # blocks.

Trade Name - Enter the mixture's trade name, brand name or the company's code name for the substance in the space provided. For example, if you are reporting a mixture containing "Sodium Hydroxide" also known by the common name "Caustic Soda," the product may be marketed under the trade name "Joe's Caustic Cleaner."

Common Name - Enter the mixture's common chemical name or synonym accepted or recognized by industry, for example "Caustic Soda" as indicated above. If a common name is entered, it will be displayed on the facility's database listing of chemicals.

Mixture Components - If you are reporting a mixture, you must complete the Mixture Components section of the form. This information is usually found on the first page of the MSDS under "Hazardous Components" or a similar title. Under the Chemical Name, CAS #, % and EHS headings, enter the chemical names of the components as they appear on the MSDS or SDS and their CAS numbers. If a percentage is given, enter it. If a range is given for a mixture component, enter either the maximum of the range, or a more representative value based on knowledge of the mixture. **Note: Only values 1% or greater can be reported. For values reported on the MSDS less than 1%, report as 1% and click on the "Less than 1%" block.** If no percentage is given, put the number 1 in that field. The total of the percentage weights for the mixture components does not have to total 100%.

If the chemical you are reporting is an EHS, click the Yes box; if not, click No. If the mixture components listed are proprietary or trade secret, put "proprietary" or a "trade secret" in that field. For a mixture with more than eight components, create additional listings of the same mixture to continue the compositions component listing. When determining whether the threshold quantity of an EHS has been met, facilities must include the total quantity of that EHS present in the pure form as well as in any mixture, even if any mixture including the EHS is also being reported as a hazardous chemical.

For hazardous chemicals that are mixtures and do **not** contain any EHS, facilities have an option when determining whether the threshold quantity is present: (1) add together the quantity present in its pure form and as a component in all mixtures (even if the mixture is also

being reported as a hazardous chemical), **or** (2) consider the total quantity of each mixture separately. (See Federal Register / Vol. 73, No. 213 /Monday, November 3, 2008) **Louisiana requires reporting of all regulated materials at the 500 pound level unless the threshold quantity for an EHS is lower. In this area, Louisiana law and federal law differ.**

Trade Secrets - Before Louisiana will recognize a company withholding mixture component information as a trade secret, the facility must follow EPA's trade secret procedures. The date of the trade secret filing must be listed on the Tier Two form. Even if you are withholding the name of a chemical in accordance with criteria specified in SARA Title III, Section 322, you must still enter the generic chemical class (e.g. list Toluene Disocyanate as Organic Isocyanate). You must click on Y for yes if you have filed your trade secret claim with EPA. Otherwise, click on N for no. Trade secrets claims should be submitted and accepted by EPA in accordance with the final rules published in the Federal Register of July 29, 1988. A copy of this trade secret claim should be sent to the Right-to-Know Unit if you claim a trade secret.

PHYSICAL AND HEALTH HAZARDS

For each substance you have listed, check all the physical and health hazard boxes that apply. These hazard categories are defined in 40 CFR 370.2 and in the OSHA Hazard Communication Standard, 29 CFR 1910.1200. They are summarized below for your reference.

Flammable (gases, aerosols, liquids, or solids) - A material which is easily ignited and burns with extreme rapidity. The two primary measures of this physical hazard are the flashpoint and the autoignition temperature.

Gas Under Pressure - A gas which is contained in a receptacle at a pressure of 200 kPa (29 psi) (gauge) or more, or which is liquefied or liquefied and refrigerated. This includes compressed gases, liquefied gases, dissolved gases and refrigerated liquefied gases.

Explosive - A solid or liquid chemical which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.

Self-Heating - A solid or liquid chemical, other than a pyrophoric liquid or solid, which, by reaction with air and without energy supply, is liable to self-heat; this chemical differs from a pyrophoric liquid or solid in that it will ignite only when in large amounts (kilograms) and after long periods of time (hours or days).

Pyrophoric (liquid or solid) - A chemical which, even in small quantities, is liable to ignite within five minutes after coming into contact with air.

Pyrophoric Gas - A chemical in a gaseous state that will ignite spontaneously in air at a temperature of 130 degrees F (54.4 degrees C) or below.

Oxidizer (liquid, solid, or gas) - A chemical which, while in itself not necessarily combustible, may, generally by providing or yielding oxygen, cause or contribute to the combustion of other material.

Organic Peroxide - A liquid or solid organic chemical which is thermally unstable and may undergo exothermic self-accelerating decomposition and also may have one or more of the

following properties: a) Be liable to explosive decomposition; b) Burn rapidly; c) Be sensitive to impact or friction; d) React dangerously with other substances.

Self-Reactive - A thermally unstable liquid or solid chemical liable to undergo a strongly exothermic decomposition even without participation of oxygen (air), excluding those chemicals classified as explosives, organic peroxides, oxidizing liquids or oxidizing solids.

In Contact With Water Emits Flammable Gas - A solid or liquid chemical which, by interaction with water, is liable to become spontaneously flammable or to give off flammable gas in a dangerous quantity.

Corrosive To Metal - A chemical which by chemical action will materially damage, or even destroy, metals.

Hazard Not Otherwise Classified (HNOC) - An adverse physical or health effect identified through evaluation of scientific evidence during the classification process that does not meet the specified criteria for the physical and health hazard classes addressed in this section, or that either falls below the cut-off value/concentration limit of the hazard class or is under a GHS hazard category that has not been adopted by OSHA (e.g., acute toxicity Category 5).

Carcinogenicity - A substance or a mixture of substances which induce cancer or increase its incidence.

Acute Toxicity (any route of exposure) - Those adverse effects occurring following oral or dermal administration of a single dose of a substance, or multiple doses given within 24 hours, or an inhalation exposure of 4 hours.

Reproductive Toxicity - Any effect of chemicals that interferes with reproductive ability or sexual capacity or with normal development of the conceptus either before or after birth, which is induced during pregnancy or results from parental exposure.

Skin Corrosion or Irritation - The production of irreversible damage to the skin; namely, visible necrosis through the epidermis and into the dermis, following the application of a test substance for up to 4 hours (corrosion) or the production of reversible damage to the skin following the application of a test substance for up to 4 hours (irritation).

Respiratory or Skin Sensitization - A chemical that will lead to hypersensitivity of the airways following inhalation of the chemical or to an allergic response following skin contact.

Serious Eye Damage or Eye Irritation - The production of tissue damage in the eye, or serious physical decay of vision, following application of a test substance to the anterior surface of the eye, which is not fully reversible within 21 days of application.

Simple Asphyxiant - A substance or mixture that displaces oxygen in the ambient atmosphere, and can thus cause oxygen deprivation in those who are exposed, leading to unconsciousness and death.

Specific Target Organ Toxicity (single or repeated exposure) - Specific, non-lethal target organ toxicity arising from a single exposure or repeated exposure to a chemical substance or mixture. All significant health effects that can impair function, both reversible and irreversible, immediate and/or delayed and not specifically addressed in Appendices A.1 to A.7 and A.10 of 29 CFR 1910.1200 are included.

Germ Cell Mutagenicity - A chemical that may cause mutations (permanent changes in the amount or structure of the genetic material in a cell) in the germ cells of humans that can be transmitted to the progeny.

Aspiration Hazard - A solid or liquid chemical causing severe acute effects such as chemical pneumonia, varying degrees of pulmonary injury, or death following direct entry through the

oral or nasal cavity, or indirect entry through vomiting, into the trachea and lower respiratory system.

RELEASE REPORTABLE QUANTITY

The reportable quantity (RQ) which triggers notification to the State Police Hazardous Materials Hotline is established in federal and state law. To determine the RQ for a chemical or mixture, please refer to Title 33 subsection 10111. Law interprets mixture releases to be reportable under State reporting criteria, although U.S. EPA may have different reporting interpretations for mixtures.

STORAGE CONTAINER

Multiple container types may be chosen for a single pressure, temperature, and location indicator. List all non-confidential chemical locations in this column along with storage types/conditions associated with each location. A selection under the Storage Container section allows a filer to select "Other" for a Storage Container Type and provides a text box for filers to include a description of the chemical's Storage Container.

TEMPERATURE AND PRESSURE CONDITIONS

Select the appropriate temperature and pressure condition that pertains to each chemical. A selection under the Temperature and Pressure sections allows a filer to select "Other" for the temperature and pressure types and provides a text box for filers to include a description of the chemical's temperature and pressure.

STORAGE LOCATIONS

Provide a brief description of the precise location of the chemical, so that emergency responders can locate the area easily (e.g. near west wall of warehouse). **The facility's address or "in the building" is not an acceptable location.** You may find it advantageous to provide an optional site plan or site coordinates to the Louisiana State Police Right-to-Know Unit, P.O. Box 66168, Baton Rouge, LA 70896-6168.

For each substance location, 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 a chemical is present in more than one building, lot, or area location, continue your responses in subsequent locations as needed. If the chemical exists everywhere at the plant site simultaneously, you may report that the chemical is ubiquitous at the site. Note: If more than eight storage types and locations are necessary, create another "pure chemical" or "mixture" listing the same chemical information and continue adding additional storage types and storage locations as necessary.

MAXIMUM AMOUNT

For each hazardous substance, estimate the greatest amount present at your facility on any single day during the reporting period. Find the appropriate range value. Enter this range value as the Maximum Amount.

AVERAGE DAILY AMOUNT

For each hazardous chemical, 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. Enter this range value as the Average Daily Amount.

NUMBER OF DAYS ON-SITE

Enter the number of days that the hazardous substance was present on-site. If the year you are reporting for is a leap year, change the default number 365 to 366. If you sold or closed your facility during the preceding calendar year, the number of days on-site should reflect the time you owned/operated the facility.

ADDITIONAL INFORMATION

Two optional items are on the Chemical Inventory page under the heading "Additional Information" at the bottom. One is "**Chemicals Below Reporting Threshold**" and the second is "**Additional State/Local Requirements**".

Chemicals Below Reporting Threshold - This field is to provide an ability to voluntarily report any hazardous chemicals that may be below the reporting threshold. (This field is optional and has a maximum character count of 1000.)

Additional State/Local Requirements - This field is to provide an ability to voluntarily report materials required by any additional state or local requirements. (This field is optional and has a maximum character count of 1000.)

CERTIFICATION

This inventory report must be filed under the electronic reporting rules by the owner or operator or the officially designated representative of the owner or operator. Since the e-filing system involves User IDs and Passwords restricted to persons with approved filer status and since a certification statement appears on the printed Tier Two Invoice after the filer clicks on "submit", State Police believes this satisfies certification requirements.

State Police acknowledges that the amounts listed for each chemical in a particular physical state are based on best estimates under normal/non-emergency conditions.

FEES

Please refer to Title 33 section 10121 of the Right-to-Know Rules on the website at <http://www.lsp.org/esu.html> for information on fees. When you e-file, fees are automatically

calculated based on the number of chemicals entered at each facility and other information provided on the filing worksheet. **You MUST print your e-filing invoice from your screen at this time or you will not have a record of your transaction. There is no way to recreate this invoice once you clear your screen.** Attach your payment for the appropriate amount to the computer generated Tier Two invoice and mail to the:

Office of Management and Finance
Financial Services Division
P.O. Box 66909
Baton Rouge, LA 70896

Any supporting Tier II documentation can be mailed to the Louisiana State Police, Right-to-Know Unit, P.O. Box 66168, Baton Rouge, LA 70896-6168 or Louisiana State Police, Right-to-Know Unit, 7919 Independence Blvd., Baton Rouge, LA 70806.

REMINDER

You are required under federal and state law to file your Tier Two form with the following agencies: the fire department that has jurisdiction over the site, the LEPC and the Louisiana Emergency Response Commission. A listing of all the Louisiana Local Emergency Planning Committees is provided on the Louisiana State Police web site. You should print and mail a hard copy of the Tier Two to the appropriate fire department and LEPC.

WEBSITE

To electronically file your Tier Two form, please go to the Louisiana State Police website at the following address: <http://www.lsp.org> and then click on the heading "Sections of LSP" under the About Us tab. On the "Sections of Louisiana State Police" web page, click on the heading labeled "Patrol" and then under "Emergency Services" click on the link "Emergency Services Unit (ESU)". When you reach the Emergency Services Unit page, click on the heading "Right-to-Know (RTK), Tier II". Find the bold section "Tier II Inventory", and then click on the link named "Tier II Inventory Filing Web Site" which will bring you to the Welcome page.

This document updated as of 09/06/2017.

If at any time you have any questions please email us at RTK.Tier2@dps.la.gov
or call 225-925-4893