State of Delaware
Emergency Planning and Community Right-to-know Act (EPCRA) Reporting Program

Instructions for
Hazardous Chemical Inventory Reporting and the TIER II MANAGER™ Online Reporting System

January 1, 2018
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CONTACT INFORMATION

Important Notice: Our office has moved, and we have a new address. All correspondence, including fee payment checks, must be directed to the new address below.

EPCRA Reporting Program, DNREC
155 Commerce Way, Suite B
Dover, DE 19904

Phone (302) 739-9405
Fax (302)739-2466

E-mail:

Bill Davis (EPCRA) Christie Ray (billing)
William.BDavis@state.de.us Christie.Ray@state.de.us
PART 1: OVERVIEW OF EPCRA

BACKGROUND
In 1986, the Federal Superfund Amendments and Reauthorization Act (SARA) was passed. Title III of SARA was a freestanding statute titled "The Emergency Planning and Community Right-To-Know Act" (EPCRA). In 1991, the State of Delaware Emergency Planning and Community Right-To-Know Act (EPCRA) was established. This Act formalized the hazardous chemical inventory reporting program in the State of Delaware and established reporting fees. Because Delaware's hazardous chemical inventory reporting requirements are more comprehensive than the federal requirements, state specific reporting forms were developed. By following these directions and submitting the proper information, you will be complying with both the federal EPCRA and the State of Delaware Hazardous Chemical Inventory reporting requirements.

PURPOSE
The collection of this information serves several major purposes. Local Emergency Planning Committees (LEPCs) use the information to develop emergency response plans for their districts. Fire departments can use the information for pre-planning, and the information can be accessed for use during emergency responses. Hazardous chemical inventory information collected under EPCRA is also made publicly available to foster cooperative efforts between citizens, government, and industry to prepare for emergencies and manage chemical risks.

The reporting fees are mandated for use in supporting activities of the Local Emergency Planning Committees (LEPCs) and in gathering the data in a usable format to support emergency personnel in planning for and responding to emergencies at or near your facility. The funds may also be used for certain related activities, such as the maintenance of portable decontamination trailers in each county.

PROVISIONS OF THE LAW
The federal EPCRA law established a network for planning. It required each State to establish a State Emergency Response Commission (SERC), which then established emergency planning districts and appointed Local Emergency Planning Committees (LEPCs) for each. The LEPCs then develop and maintain local emergency plans, and promote public involvement in managing chemical risks in the community.

The law also established a series of reporting requirements for businesses, to support emergency planning and response activities. The reporting requirements are typically referred to by their Sections within the law:

Covered in these instructions:
- Section 302 – Emergency Planning Notification
- Section 311 – Initial and Periodic Inventory Updates (MSDS list)
- Section 312 – Annual Hazardous Chemical Inventory (Tier II) Reporting

Not covered in these instructions:
- Section 313 – Toxic Release Inventory Reporting - Requires larger manufacturing facilities to report annually on releases to environment and waste management activities for certain listed toxic chemicals manufactured, processed, or otherwise used above threshold levels. [http://www.dnrec.delaware.gov/SERC/Services/Pages/ToxicsReleaseInventoryReporting.aspx](http://www.dnrec.delaware.gov/SERC/Services/Pages/ToxicsReleaseInventoryReporting.aspx)
PART 2: ANNUAL HAZARDOUS CHEMICAL INVENTORY (TIER II) REPORTING (EPCRA SECTION 312)

COVERED FACILITIES
The owner or operator of a facility may be covered under this program if, under the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard or the Delaware Hazardous Chemical Information Act, the owner or operator is required to prepare or have available Safety Data Sheets (SDSs) for hazardous chemicals or extremely hazardous substances present at the facility. The term "facility" means all buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person). "Facility" shall include manmade structures as well as all natural structures in which chemicals are purposefully placed or removed through human means such that it functions as a containment structure for human use. For reporting to be required, the chemicals must also be present above specific threshold quantities.

COVERED CHEMICALS, THRESHOLD AMOUNTS and DUE DATE
By March 1 each year, the owner or operator of a facility must report hazardous chemicals and extremely hazardous substances present at the facility at any one time during the previous calendar year in amounts that equal or exceed the following thresholds. IMPORTANT: State of Delaware thresholds are lower than Federal/EPA.

HAZARDOUS CHEMICALS - For chemicals identified as hazardous chemicals, the threshold quantity is 55 gallons or 500 pounds, whichever is lower. There is no specific list of these chemicals. "Hazardous chemical" means any chemical that is considered a physical or health hazard under OSHA's Hazard Communication Standard (Title 29 of the Code of Federal Regulations (CFR), Section 1910.1200(c)).

EXTREMELY HAZARDOUS SUBSTANCES - For chemicals identified as extremely hazardous substances (EHSs), the threshold quantity is 55 gallons, 500 pounds, or the Threshold Planning Quantity (TPQ), whichever is lower. EHSs and their TPQs are formally listed under federal regulations in 40 CFR Part 355. The list of EHSs can be accessed through our web site at http://www.dnrec.delaware.gov/SERC/Services/Pages/HazardousChemicalInventoryReporting.aspx, and through links within the Tier II Manager™ system. If you have questions about the list, please contact the EPCRA Reporting Program. Because EHSs are extremely important to planning, the amount of an EHS at a facility (both the pure EHS and the EHS in mixtures) must be aggregated for purposes of threshold determination.

SUBSTANCES USED SOLELY FOR BUILDING HEATING PURPOSES - Although classifiable as hazardous chemicals, substances used solely for the purpose of heating buildings at the site, such as fuel oil or propane, are subject to a 10,000 pound threshold. However, heating substances at a facility which are not used for building heating at the site are treated as hazardous chemicals subject to the 55 gallon/500 pound threshold.

EXEMPTIONS
The owner or operator of a facility must report each hazardous chemical or extremely hazardous substance present at the facility above the threshold quantities and for which a Safety Data Sheet (SDS) is required. However, both OSHA and EPA regulations provide for some exemptions. OSHA regulations provide for the following exemptions (as stated in 29 CFR Section 1910.1200):

(i) Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that Act by the Environmental Protection Agency;

(ii) Any Hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.) when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations;
(iii) Tobacco or tobacco products;
(iv) Wood or wood products, including lumber which will not be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to employees is the potential for flammability or combustibility (wood or wood products which have been treated with a hazardous chemical covered by this standard, and wood which may be subsequently sawed or cut, generating dust, are not exempted);
(v) "Articles" ["Article" means a manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more than very small quantities, e.g. minute or trace amounts of a hazardous chemical, and does not pose a physical hazard or health risk to employees];
(vi) Food or alcoholic beverages which are sold, used or prepared in a retail establishment (such as a grocery store, restaurant, or drinking place), and foods intended for personal consumption by employees while in the workplace;
(vii) Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid, final form for direct administration to the patient (e.g. tablets or pills); drugs which are packaged by the chemical manufacturer for sale to consumers in a retail establishment (e.g., over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g. first aid supplies);
(viii) Cosmetics which are packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace;
(ix) Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, where the employer can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended;
(x) Nuisance particulates where the chemical manufacturer or importer can establish that they do not pose any physical or health hazard covered under this section;
(xi) Ionizing and nonionizing radiation; and,
(xii) Biological hazards

Federal and State EPCRA reporting regulations provide exemptions for the following substances:

(a) Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.
(b) 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.
(c) Any substance to the extent it is used:
   (1) 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;
   (2) In a research laboratory or hospital or other medical facility under the direct supervision of a technically qualified individual; or
   (3) In routine agricultural operations or is a fertilizer held for sale by a retailer to the ultimate customer.

Additionally, chemicals or substances in transportation or being stored incident to such transportation, including the transportation and distribution of natural gas, are not subject to the inventory reporting requirements.

Since many of these exemptions can be easily misinterpreted, please call the Delaware EPCRA Reporting Program at (302) 739-9405 if you have any questions concerning applicability of these exemptions to chemicals at your facility.
**REPORTING FEES**

- Reporting fees are based on the number and types of chemicals reported. Fees for 2017 are as follows:
  - $60 per hazardous chemical
  - $100 per extremely hazardous substance
  - Fees for mixtures depend on concentration of EHSs:
    - Less than 10% by weight EHS = $60
    - Equal to or greater than 10% EHS = $100
  - Motor Vehicle Fuels are exempt *when offered for retail sale at the facility* (Ex. Gasoline & Diesel)
- There is a cap of $5000 per year per facility.
- Federal, state, county, and local government facilities, as well as non-profit organizations, are exempt from the reporting fees.

*IMPORTANT NOTES FOR FEE PAYMENTS* - see “Submitting Fee Checks” on page 10
PART 3: INITIAL & PERIODIC CHEMICAL INVENTORY
UPDATES (SDS LIST) (SECTION 311)

COVERED FACILITIES – Identical to Tier II Requirements under Section 312 (see Part 2).

COVERED CHEMICALS – Identical to Tier II Requirements under Section 312 (see Part 2).

THRESHOLD AMOUNTS – Identical to Tier II Requirements under Section 312 (see Part 2).

EXEMPTIONS – Identical to Tier II Requirements under Section 312 (see Part 2).

REQUIREMENT
Facilities must submit a list of the reportable chemical(s), with the physical and health hazards for each, to the Delaware EPCRA Reporting Program.

Initial list - An initial submission was required when the law was established. After that, any new facility must submit an initial list within 3 months of chemicals first exceeding the threshold on site.

Periodic updates - All facilities must provide updates within 3 months of a non-reported substance first exceeding the thresholds on site (whether it is either a new substance first brought on site above the thresholds, or a previous chemical on site for which the quantity has increased to the point where a threshold has been exceeded).

EPA has provided guidance that an annual Tier II report can serve as an initial list for any facility that failed to submit an initial list. The real substance of the Section 311 requirement is that it provides for updates to the chemical inventory data for a facility in between the annual Section 312 reports.

Section 311 updates can be submitted on line through the TIER II MANAGER™ system. There are no fees associated with Section 311 reporting.
PART 4: EHS EMERGENCY PLANNING NOTIFICATIONS  
(SECTION 302)

COVERED FACILITIES, COVERED CHEMICALS, and THRESHOLD AMOUNTS
The U.S. EPA has prepared a list of over 360 Extremely Hazardous Substances (EHSs). Any facility having one or more of these substances in a specified minimum quantity, referred to as the Threshold Planning Quantity (TPQ), is subject to this requirement. The list of EHSs and their individual threshold amounts can be accessed through our web site at http://www.dnrec.delaware.gov/SERC/Services/Pages/HazardousChemicalInventoryReporting.aspx.

EXEMPTIONS – There are no exemptions….the exemptions which apply under the Section 312 (Tier II) and Section 311 requirements do not apply to Section 302 notifications.

REQUIREMENT
Facilities with an Extremely Hazardous Substances (EHS) on site above the Threshold Planning Quantity (TPQ) must notify their LEPC and the Delaware EPCRA Reporting Program within 60 days of the EHS first exceeding the threshold level on site.

Notification must include identification of a Facility Emergency Coordinator, who will participate with the LEPC on emergency planning.

A facility covered under this requirement is responsible for informing the LEPC of any changes occurring at the facility which may be relevant to emergency planning. Upon request of the LEPC, facilities must also provide the committee any information necessary for development or implementation of the local emergency plan.

Section 302 notifications can be submitted on line through the TIER II MANAGER™ system.

There are no fees associated with Section 302 reporting.

PART 5: ADDITIONAL RESOURCES
Delaware SERC/EPCRA home page (also contains links and contact info for each of Delaware’s 4 LEPCs):  
www.dnrec.delaware.gov/serc

EPCRA compliance assistance page covering each section of EPCRA:  
http://www.dnrec.delaware.gov/SERC/Services/Pages/ComplianceAssistance.aspx

Delaware online TIER II MANAGER™ system web page:  
http://www.dnrec.delaware.gov/SERC/Services/Pages/DownloadFormsorSoftware.aspx

U.S. EPA questions and answers concerning EPCRA requirements (except for issues where Delaware requirements may be more stringent, such as lower thresholds or issues involving fees, we abide by EPA interpretations):  

Important: due to the differences between Federal and State requirements, and that EPA’s website presents only the Federal version, it is highly recommended that facilities contact the State Of Delaware EPCRA Reporting Program for questions or interpretations.
Delaware TIER II MANAGER™ Online Reporting System

PART 6: IMPORTANT CHANGES AND UPDATES BEGINNING JANUARY 2018

Expanded Hazard Categories

Effective January 1st, 2018, the EPA has adopted hazard classes based upon OSHA’s Globally Harmonized System of Classification and Labeling of Chemicals (GHS). Where previously you have selected from 5 hazard classes, there will now be 24. This will require a review of the hazards as described in the Safety Data Sheet (see “Section 2” of a GHS-compliant SDS, or previously called “MSDS”), and the hazard class information to be re-entered for the 2017 reporting year.

<table>
<thead>
<tr>
<th>New Physical Hazards</th>
<th>Previous Physical Hazards</th>
<th>New Health Hazards</th>
<th>Previous Health Hazards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combustible Dust</td>
<td>Fire Hazard</td>
<td>Acute toxicity (any route of exposure)</td>
<td>Immediate (Acute)</td>
</tr>
<tr>
<td>Corrosive to metal</td>
<td>Sudden Release of Pressure</td>
<td>Respiratory or skin sensitization</td>
<td>Delayed (Chronic)</td>
</tr>
<tr>
<td>Oxidizer (liquid, sold, or gas)</td>
<td>Reactivity</td>
<td>Germ cell mutagenicity</td>
<td></td>
</tr>
<tr>
<td>Gas under pressure</td>
<td></td>
<td>Skin corrosion or irritation</td>
<td></td>
</tr>
<tr>
<td>Self-heating</td>
<td></td>
<td>Reproductive toxicity</td>
<td></td>
</tr>
<tr>
<td>Organic peroxide</td>
<td></td>
<td>Carcinogenicity</td>
<td></td>
</tr>
<tr>
<td>Flammable (gases, aerosols, liquids, or solids)</td>
<td></td>
<td>Simple asphyxiant</td>
<td></td>
</tr>
<tr>
<td>Pyrophoric gas</td>
<td></td>
<td>Aspiration hazard</td>
<td></td>
</tr>
<tr>
<td>In contact with water emits flammable gas</td>
<td></td>
<td>Serious eye damage or eye irritation</td>
<td></td>
</tr>
<tr>
<td>Explosive</td>
<td></td>
<td>Hazard Not Otherwise Classified (HNOC)</td>
<td></td>
</tr>
<tr>
<td>Pyrophoric (liquid or solid)</td>
<td></td>
<td>Specific target organ toxicity (single or repeated exposure)</td>
<td></td>
</tr>
<tr>
<td>Hazard Not Otherwise Classified (HNOC)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Self-reactive</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Fee Increases

Beginning January 1, 2018, the previous $40 and $80 reporting fee amounts associated with the reporting of substances on Tier II submittals will increase to $60 and $100 respectively. The online Delaware Tier II Manager™ reporting system will automatically calculate reporting fees at the new amounts.
2017 Reporting Year (Annual reports due by March 1, 2018)

Tier II Manager™ can be accessed at: https://tierii.dnrec.delaware.gov/TierII

- **TIER II MANAGER™ software update**
  TIER II MANAGER™ issues that have been previously identified have been addressed in on-going software updates. Comments and suggestions about the reporting software are always welcomed. Please forward any comments or issues to the DNREC EPCRA Reporting Program (contact information above).

- **Submitting Fee Checks** (also see “Reporting Fees” on page 6)
  Covered facilities must calculate and submit the fees associated with the Tier II report to DNREC on or before the March 1st deadline.

  Reporting fees can be paid on-line using a credit card or ACH transfer, or by mailing a check to DNREC.

  If a facility is mailing a check, then they must attach a hardcopy of the email notification they received from the system once the online submission is complete. *This is crucial for us in matching a check with the appropriate facility submission.*

  If reporting for multiple facilities, it is not necessary to send a different check for each site. One check covering the reporting fees for all facilities is acceptable.

  - If paying for 5 or less facilities with one check, include the automated system email notification for each facility.
  - If paying for more than 5 facilities with one check, include a table or spreadsheet containing the Facility ID (FID) from the Tier II Manager™ system, Company Name, Facility Name, Address, City, and Fee Amount for each site, with the total indicated at the bottom of the table or spreadsheet. (Including the individual automated system generated email notification for each facility is not necessary in these cases).

  Make checks payable to *State of Delaware - EPCRA Program*. Checks and associated information must be sent to our new address noted on page 2 of these instructions:

  **EPCRA Reporting Program, DNREC**
  **155 Commerce Way, Suite B**
  **Dover, DE 19904**

- **Electronic Reporting Assistance**
  If electronic reporting is a hardship, call the EPCRA Reporting Program at (302) 739-9405 and we can assist in identifying a computer available for you at a convenient location.

**IMPORTANT NOTES ABOUT USING THE ONLINE SYSTEM**

- Whenever entering data on any page into Tier II Manager, all fields with a red asterisk ( * ) are required.

- Always use “Log Out” when exiting Tier II Manager instead of the exit button in the upper corner of Windows. Not using the “Log Out” button upon exiting Tier II Manager may lock you out of the system for a period of time.

- Please be aware that if the program sits idle for a period of time, a warning box will appear telling you that the system will automatically log you off and any data entered and not saved will be lost if you do not proceed with adding data.

- TIER II MANAGER™ is a “live” system. Changes to annual chemical inventories can be made at any time throughout the year. The system accepts 302, 311, and 312 reports. If you have any questions throughout the year, EPCRA staff are available to answer your questions at (302) 739-9405.

- Reporting through this on-line system satisfies the requirement to submit reports to the SERC, LEPC, and local Fire Department.
PART 7: TIER II MANAGER™ USER REGISTRATION, AND LOGIN

Tier II Manager™ can be accessed at:  https://tierii.dnrec.delaware.gov/TierII

LOG IN PAGE

“Our contact information is in the banner. Please contact us if you ever have any questions.”

From this screen, you can either REGISTER as a new user, or Log In as an existing user.

Click REGISTER to begin the registration process, or enter your Username and Password and click Log In to be taken to the HOME PAGE.

Passwords will have to be reset at the beginning of the reporting year. If you have previously registered but have difficulty with your username or password, try the “Forgot Username?” or “Forgot Password?” or “Reset Password?” links below the Log In button. If log in issues cannot be resolved using any of these links, please contact the EPCRA Reporting Program at (302)739-9405 for assistance.

If you are taking over as the reporting contact for someone who is no longer at your company, please register as a new user. After registering, call the EPCRA Program to discuss the facilities you will be responsible for within the system. Do not use the previous user’s Username. Create a new user name and provide your registration information.
NEW USER REGISTRATION

The first time the system is accessed, click the **REGISTER** button. This will prompt you to select your role as either a "**Reporting Facility/Business User**" or "**First Responder, Planner, or Admin**" then click **Next**. All fields with a red asterisk (*) are required. Once the registration form is completed, click **Submit**.

The Tier II Manager™ Administrator will approve each user and assign facilities associated with the Username. The system will generate an email from the Administrator indicating that you are approved to access the system.

Registration is a one-time process. Once registered, enter your **Username** and **Password** and click **Log In** to access the system at any time.
**Reset Password**

At the beginning of a new reporting year the Tier II Manager™ may require existing users to reset their password. At this time update your account information, such as email address and phone number, by clicking on the “My Account” tab.
INTRODUCTION AND GUIDANCE PAGE

On the LOG IN PAGE, enter your Username and Password and click Log In to be taken to the INTRODUCTION AND GUIDANCE PAGE.

Note: last year's screen is shown below, a 2018 Update is not a 2017 Annual Report; you must submit a 2017 Annual.

This page gives you several options to click on:

**TABS**
1. **Home** – Always takes you to the INTRODUCTION and GUIDANCE (Home) Page (in this case it will simply reload this page).
2. **Facility** – “List Facility” will take you to the Active Facilities page listing facilities registered under this username.
3. **My Account** – Allows for quick access to update information for the current User.

**BUTTONS**
1. **TIER II MANAGER Reporting Instructions**
2. **Continue** – will take you to the Active Facilities page registered under this username.
On this page, you can add a new facility, or select an existing facility to complete reports for that site.

**ADD NEW FACILITY**

On the **LOG IN PAGE** enter your **Username** and **Password** and click **Log In** to be taken to the **HOME PAGE**.

On the **HOME PAGE** click **Continue** to be taken to the **Active Facilities** page.

To add a new facility, click on the **Add New Facility** button. This will take you to the **Facility Identification** page.

Note - If you have previously reported for a facility, or multiple facilities, they will already be listed on the **Active Facilities** screen. To access a facility, simply click on the Facility/Site Name in the table, which is an active link to the facilities report information. Contact the Delaware EPCRA Reporting Program if you cannot find a facility that has reported previously.

**Important Note: Before adding a new facility, please be sure the site does not already exist in the system. If you have any doubts, please contact the EPCRA Reporting Program before adding the site.**

When adding a new facility, the first screen you will see is

**Facility Identification** – Location and Nature of Business
All fields with a red asterisk (*) are required. After completing this form, click **Save**. Note the “Get Coordinates” feature below:

Once you click on “**Pick this location**”, you will be taken to **Facility Identification – Owner/Operator** page (actually, the second “Tab” on this screen).
Facility Identification – Owner/Operator page.

All fields with a red asterisk (*) are required. After completing this form, click Save.
BEGIN A SUBMISSION

On the **LOG IN PAGE** enter your **Username** and **Password** and click **Log In** to be taken to the **HOME PAGE**.

On the **HOME PAGE** click **Continue** to be taken to the list of **Active Facilities** page.

Click on the Facility Name (In this example it is **2017 Test Facility** (Facility ID: 2961) under the Facility/Site Name column to be taken to the **List Submissions** page.)
****The above screen shows the **List Submissions** page for a new facility, with no prior reports showing. If you are accessing a facility that has previously submitted reports, they will be shown in the table. To access a previously submitted report, you can click on the icon under the “View” column. If a report name under the “Report” column shows up in blue text as a link, and the status is listed as “initiated”, that means that you have previously started the report, but did not finish the report submission process entirely. In this situation, you can click on the report name in the table, and it will take you to that report home page, where you can complete and submit the report.

If you are starting a new report, Click on **Add a New Submission** and it will take you to the **Start a New Report** page. New Tier II reports will be pre-populated with your existing data (if you have previously submitted for the facility).
Start a New Report page.

Note: the screen shown below was taken before 1/1/18; after the New Year “rolls over”, the years will be changed (+1).

*NORE: Reporting through this on-line system satisfies the requirement to submit the above reports to the appropriate SERC, LEPC, and local Fire Department.*

First select one of three Report Types: Tier II (312), 302, or 311. Then select a Report Class.

Important: when doing your Annual Hazardous Chemical Inventory Report for the March 1st deadline, be sure that the Report Class is selected “Annual” for 2017.
PART 8: SUBMITTING A TIER II REPORT (SECTION 312)

On the **LOG IN PAGE** enter your **Username** and **Password** and click **Log In** to be taken to the Introduction and Guidance **HOME PAGE**.

On the **HOME PAGE** click **Continue** to be taken to the list of **Active Facilities** page

Click on the **Facility Name** under the **Facility/Site Name** column to be taken to the **List Submissions** page.

Click on **Add a New Submission** from the **List Submissions** page to be taken to the **Start a New Report** page.

On the **Start a New Report** page, select **Tier II Report** for Report Type and **Annual for 2017** for Report Class.

*Note: the screen shown below was taken before 1/1/18; after the New Year "rolls over", the years will be changed (+1).*

![Start a New Report](image)

After selecting **Tier II Report** and **Annual for 2017** (assuming you are preparing a Tier II report for the 2017 year), click on **Proceed**.
You will be taken to the Edit Report Homepage for the selected facility.

**Edit Report Homepage**

![Image of Report Homepage](image)

**Important Note** – Under the Report Homepage title, you will notice a row of numbered “Steps”. Each of the Steps corresponds with a Step or Section of data within the report. Only Step 1 Facility Information is shown in the screen above; you will need to scroll down to see more. Each Step/Section needs to be reviewed prior to submittal of the report. After an individual section is reviewed/updated, the ![Checkmark](image) next to the Step will be updated to a ![Checkmark](image).

The user can choose to look at each section individually by only clicking on the **Expand** ![Expand](image) icon for that section. Or the user can choose to expand all sections by clicking on the **Expand All** ![Expand All](image) icon that is located above Step1.

The user can choose to minimize a section by clicking on the **Contract** ![Contract](image) icon for that section. Or the user can choose to expand all sections by clicking on the **Contract All** ![Contract All](image) icon.

Be aware not all information in a Section is displayed on the Report Home screen. To view and edit all information in a Section the user must click on **Edit**. The Sections may have information under more than one Tab. A report can also be viewed by clicking on “Print Report” on the right-hand side of the screen below the Report Homepage header.

Notes – There is a “Notes” button in the heading for Step 1. **Please use this “Notes” section to include any important information about the site not captured through the normal report form.** For example, if the site is being sold on a certain date, that would be pertinent information to note. If a new operation is planned to be added, with new chemicals, that could be noted as well. Include information that would benefit emergency planners and responders.
Step 1: Review Facility Information

Click **Edit** on the right side of Step 1 to review or update your facility information. This will take you to the Facility Identification page.

**Note:** If Latitude/Longitude coordinates have previously been changed/inserted, the software automatically resets these to match the address (if they are different) when this option to “Get Coordinates” is opened; be sure to verify that these coordinates are correct.

There are two Tabs, Location and Nature of Business and Owner/Operator.

Note the **Get Coordinates** feature to find your latitude & longitude; a screenshot is shown on page 16.

After you are finished reviewing/updating this information for each tab click **Save**.

Doing so will return you to the **Edit Report Homepage** for the facility. Proceed to Step 2.
Step 2: Review Chemical Inventory

Click [Add Chemicals] to enter information about any chemicals being reported. You will be taken to the Chemical Details page. As noted previously, if you are reporting for a facility that has previously reported, much of this information will be pre-populated. In that case, chemicals may already be listed in the Chemical List. You can edit or delete the information for each chemical by clicking on the icon next to that chemical in the table. Or you can click on the button to “Add Chemicals”.

Chemical Details - Chemical Description page.

All fields with a red asterisk ( * ) are required. After completing this form, click [Save].

After completing form on the Chemical Details - Chemical Description page, you will be taken to the Chemical Inventory and Storage page (actually the second “Tab” on this screen).

For the Physical and Health Hazards, review the information in your Safety Data Sheet (SDS) for each substance.
Mixtures

From Delaware Code Title 16 §6302, the term "mixture" means a heterogeneous association of substances where the various individual substances retain their identities and can usually be separated by mechanical means. The term includes solutions or compounds but does not include alloys or amalgams.

If you select “Mixture”, you will be given fields for entering data on components within the mixture. Reporting of EHS components within mixtures is mandatory. Non-EHS components are not required to be listed.

If an EHS is a part of a Mixture, enter the product name in “Chemical Name”, check “Mixture” and enter the EHS (other components voluntary) in the “Mixture Component List”. After selecting “Mixture”, check “Yes” if it contains an EHS. In the “Add Mix Components” box at the bottom of the screen, enter the EHS by either name or CAS number, and hit the “Add Mixture Component” button; repeat as necessary. After all mixture EHS components have been listed, press the “Save” button.
**Chemical Inventory and Storage**

All fields with a red asterisk (*) are required.

When adding locations for a substance, enter the data in the fields shown, and then click on the link to “Update Storage Location List”. The location info you enter will then be shown in the Storage Location List above the fields. You can then enter a second, third, or any additional number of locations as needed. Once a location has been added, you can edit the location by clicking the icon next to that location in the Storage location List. When you click on edit, the fields will show below the list, and you can edit them and then save by clicking on the “Update Storage Location List” button.

After completing this form, click **Save**

When finished adding/reviewing information in the Chemical Inventory Section, proceed to Step 3.
Step 3: Review Subject to Status

Click on **Edit**

Review the status of your facility and what regulations it is subject to.

All fields with a red asterisk ( * ) are required. After completing this form, click **Save**

When finished updating the status of the facility, proceed to Step 4.
Step 4: Review Report Contacts

Facility and Owner/Operator Contact

Note – There are two sections under this Step. If you reviewed and updated the Facility and Owner/Operator Contact information in Step 1, you can skip this portion of this section.

Click on Edit next to “Facility and Owner/Operator Contacts” and make any necessary updates.
Click on [Edit] next to **Compliance/Emergency Contacts** and make any necessary updates.

**Compliance/Emergency Contacts**

Compliance Contact information is required as well as three Emergency Contacts (not show in screen above….you will need to scroll down). An Emergency Planning Coordinator is required only if Chemical Inventory has Extremely Hazardous Substance quantities greater than the Threshold Planning Quantity.

All fields with a red asterisk ( * ) are required. After completing each form, click [Save].
Step 5: Review Attachments. Click on Edit

This will take you to the Add/Edit Tier II Report Attachments page.

All fields with a red asterisk ( * ) are required. After completing this form, click Save.

**Site Plot Plans**
- Required when reporting chemicals
- Submit the plan in pdf or tif file format
- Upload the plan into TierIIManager™
- Must be clear and easy to read
- Label with facility name and address
- Include a north direction arrow
- Draw to scale or use dimensions
- Sketch all structures, and inside & outside chemical storage locations reported. Include any obstacles that could be encountered by emergency personnel (such as fences)
- Inside storage requires interior layout sketch
- Show site and building entrances
- Use the same terms on the Plot Plan as in the Inventory Report (step 2 / Storage Location)

Step 6: Review Fee Exemption Status by clicking on Edit

This will take you to the Fee Exemption Questionnaire page.

After satisfying all requirements for Steps 1 - 6, proceed to Step 7.
**Step 7: Submit Report**

If you have completed Steps 1 thru 6, the status bar at the top will show all green checks and the **Submit Report** button should now be visible in Step 7. If not, it is most likely because errors or incomplete information exists in one of the Steps. Look for any Step not identified with a green check, and review/edit the information under that Step.

Note that you can view an itemized fee bill before proceeding to Step 7 by clicking on the **Preview Fee Amount** feature.

Click on the **Submit Report** button to be taken to the **Payment** and **Certify Report** pages.

**Special Alert:**

Be absolutely certain that the report is accurate before beginning Step 7; once it is begun, it can **not** be stopped. You must complete all the screens in the Step 7 process in order, without exiting or back-tracking the process. If changes need to be made after a submission is made, it will require a report **revision** (see “**Start a New Report**” screen).
Click **Pay Now** to begin Payment process.

Note – If your facility is exempt from fees, you will not see the fee payment pages….you will be forwarded to the certification pages.

**Make a Payment**

Choose method of payment and click **Submit** to pay fees.

*If you select the online payment option, please follow the screen prompts to complete the online payment process. The system will return you to the report process to complete certification.*

**Note:** For the most efficient payment method, DNREC strongly encourages the use of the online payment option.

If a facility is mailing a check, then they must attach a hardcopy of the email notification they received from the system once the online submission is complete. This will ensure the mailed items are matched with the appropriate facility and online report submission.

**Important:** by statute, fees are due March 1st; plan ahead if mailing a check. If submitting and paying for multiple facilities, please see guidance on page 10 of these instructions.
To review your report in PDF format click on **Please preview the Tier II Report before Submission**

All fields with a **red asterisk ( * ) are required.**

To certify the report, first check the box with the text:

- I understand that I am officially submitting this report and associated information to authorities. I also understand that once the submission is completed it will become an official archive for authorities.*

Update the information listed for Owner/Operator or Authorized Representative responsible for certifying this report.

To complete this form and submit your report, click **Submit**

You will be taken to a confirmation screen
From here you can Print Report, List Submissions, Return to List of Facilities or Log Out.

*** If you are paying fees by mailing a check, this screen contains important guidance. If you fall into this category, please follow the instructions noted here to complete the reporting process.

If a facility is mailing a check, then they must attach a hardcopy of the email notification they received from the system once the online submission is complete. This will ensure the mailed items are matched with the appropriate facility and online report submission. Important: by statute, fees are due March 1st; plan ahead if mailing a check. If submitting and paying for multiple facilities, please see guidance on page 10 of these instructions.
PART 9: SUBMITTING A PERIODIC CHEMICAL INVENTORY UPDATE (SECTION 311)

On the **LOG IN PAGE** enter your **Username** and **Password** and click **Log In** to be taken to the **HOME PAGE**.

On the **HOME PAGE**, click **Continue** to be taken to the **List All Active Facilities** page.

Click on the **Facility Name** under the **Facility/Site Name** column to be taken to the **List Submissions** page.

Click on **Add a New Submission** from the **List Submissions** page to be taken to the **Start a New Report** page.

On the **Start a New Report** page, select **311 Report** for Report Type and select Report Class. If you have submitted a Tier II report, it is most likely that any 311 reports you submit will be “Updates”. See reporting guidance for Section 311 on page 7 of these instructions.

Click **Proceed**
Edit 311 Report Homepage

You can choose to look at each Step/section individually by only clicking on the Expand icon for that section. Or you can choose to expand all sections by clicking on the Expand All icon that is located above Step1.

You can choose to minimize a section by clicking on the Contract icon for that section. Or you can choose to expand all sections by clicking on the Contract All icon.

Each of the Steps/Sections needs to be reviewed prior to submittal of the report. After an individual section is reviewed/updated, the will be updated to a.

A NOTES button is available for adding and important information about the site. Please take advantage of this to include any information about the site that may be useful to emergency planners or responders, but that is not captured in the standard report elements (such as plans to add a new process with new chemicals, etc.).

**Step 1: Review Facility Information**

Click Edit to review or update your facility information. This will take you to the Facility Identification page. After you are finished reviewing/updating this information click Save.

Doing so will return you to the Edit 311 Report Homepage for the facility. Proceed to Step 2.
Step 2: Contacts

Click **Edit** to review or update your compliance contact information. After you are finished reviewing/updating this information click **Save**.

Doing so will return you to the **Edit 311 Report Homepage** for the facility. Proceed to Step 3.
Step 3: Chemicals

Chemical Information page

Click **Add Chemicals** to add new substances for a 311 report. Or, if you have previously reported chemicals under 311 and they are already listed, you can edit or delete them by selecting the option to the right of the chemical in the list. After you are finished reviewing/updating any info screens under this step, click **Save**.

*Note: after January 1st 2018 twenty four hazard categories will be shown rather than the five below.* For the Physical and Health Hazards, review the information in your Safety Data Sheet (SDS) for each substance.

All fields with a red asterisk (* *) are required. After completing this form, click **Save**.

Keep in mind that Section 311 is essentially an avenue to update the chemical inventory at a facility throughout the year as newly reportable chemicals happen on site. Tier II updates can be done in addition, to provide more detail to planners and responders. See note on page 40.

After completing **Step 3: Chemicals** the **Submit Report** button in **Step 4: Submit Report** will now be available.
Step 4: Submit Report

Click **Submit Report** to be taken to the **Certify Report** page and electronically certify the 311 report.

**Certify Report** page
All fields with a red asterisk (*) are required. After completing this form, click Submit.

The 311 report can be reviewed in PDF format by clicking Please preview the 311 Report before Submission.

Upon submitting the 311 Report you will be taken to a page that allows you to Update Annual Inventory report now.

Click on Update Annual Inventory report now to be taken to the Edit 312 Report Homepage for the facility.

*** Important Note - Keep in mind that Section 311 is essentially an avenue to update the chemical inventory at a facility throughout the year. While submitting the information as a 311 report satisfies the regulatory requirement, it would be helpful if this new chemical was added to any previously submitted annual Tier II report as an update. In this manner, the full inventory report is available to responders without having to look at 311 submissions separately, and your 312 inventory will be maintained up to date, making your next annual Tier II report easier.
PART 10: SUBMITTING AN EHS EMERGENCY PLANNING NOTIFICATION (SECTION 302)

On the **LOG IN PAGE** enter your **Username** and **Password** and click **Log In** to be taken to the **HOME PAGE**.

On the **HOME PAGE**, click **Continue** to be taken to the **List All Active Facilities** page.

Click on the **Facility Name** under the **Facility/Site Name** column to be taken to the **List Submissions** page.

Click on **Add a New Submission** from the **List Submissions** page to be taken to the **Start a New Report** page.

On the **Start a New Report** page, select **302 Report** for Report Type and **Original** for Report Class.

After making your selections, click **Proceed**.

This will take you to the **Edit 302 Report Homepage** for the facility.

**For background on the 302 notification requirements, please refer to page 8 of these instructions.**
You can choose to look at each section individually by only clicking on the *Expand* icon for that section. Or you can choose to expand all sections by clicking on the *Expand All* icon that is located above Step1.

You can choose to minimize a section by clicking on the *Contract* icon for that section. Or you can choose to expand all sections by clicking on the *Contract All* icon.

Each of the Sections needs to be reviewed prior to submittal of the report. After an individual section is reviewed/updated, the ✔️ will be updated to a ✅.

A NOTES button is available for adding and important information about the site. Please take advantage of this to include any information about the site that may be useful to emergency planners or responders, but that is not captured in the standard report elements (such as plans to add a new process with new chemicals, etc.).

**Step 1: Review Facility Information**

Click **Edit** to review or update your facility information. This will take you to the *Facility Identification* page. After you are finished reviewing/updated this information click **Save**.

Doing so will return you to the *Edit 302 Report Homepage* for the facility. Proceed to Step 2.
Step 2: Contact

Click **Edit** to review or update your Emergency Coordinator and Compliance Contact information. This will take you to the following screen. (If you have already submitted this information as part of a Tier II Report, click on **Search from Tier II Report** to import a previously entered contact’s information.)

All fields with a red asterisk (*) are required. After you are finished reviewing/updating this information click **Save**.
Doing so will return you to the **Edit 302 Report Homepage** for the facility. Proceed to Step 3.

**Step 3: Reporting Exemption Reasons.**

*The exemptions for 311/312 reporting under OSHA or EPA do not apply to 302 reporting.*

You would only check the exemption listed here if you had previously reported EHS above the TPQ, but no longer store the EHS above the TPQ. This would be a 302 “update”.

Proceed to Step 4.
Step 4: Chemicals

Click **Add Chemicals** to add new substances for a 302 report. Or, if you have previously reported chemicals under 302 and they are already listed, you can edit or delete them by selecting the option to the right of the chemical in the list.

**Chemical Information** page.

All fields with a red asterisk (*) are required. After completing this form, click **Save**.

After completing **Step 4: Chemicals** the **Submit Report** button in **Step 5: Submit Report** will now be available.
Step 5: Submit Report

Click **Submit Report** to be taken to the **Certify Report** page and electronically certify the 302 report.

**Certify Report** page
The 302 report can be reviewed in PDF format by clicking **Please preview the 302 Report before Submission**

All fields with a red asterisk (*) are required. After completing this form, click **Submit**

Upon submitting the 302 Report you will be taken to a page that allows you to **Update Annual Inventory report now**

Click on **Update Annual Inventory report** now to be taken to the **Edit 312 Report Homepage** for the facility.

If you have any questions or comments about the reporting system or requirements, contact information for Delaware’s **EPCRA Reporting Program** is listed on page 2 of these instructions.