SARA Title III
Sections 311 & 312

- Quick Look-up Guide

- Emergency & Hazardous Chemical Inventory Reporting

- Online Reporting in Tier II Manager™
# Quick Look-up Guide

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SARA Title III
Sections 311 & 312
Emergency & Hazardous Chemical Inventory Reporting
40 CFR Part 370

Sections 311 and 312 of SARA Title III address emergency and hazardous chemical inventory reporting. The implementing regulations are codified in 40 CFR part 370. The regulations are intended to provide the public, local governments, fire departments and other emergency officials with information concerning the potential chemical risks in their communities. Over 6000 facilities in Michigan submit hazardous chemical inventories to the Michigan SARA Title III Program, Local Emergency Planning Committees (LEPCs), and local fire departments.

Michigan’s Hazardous Chemical Inventory website:
www.michigan.gov/sara
Select “SARA Title III - Hazardous Chemical Inventory”

Who Must Submit the Hazardous Chemical Inventory Report?

These reporting requirements apply to any facility that must maintain a safety data sheet (SDS) in accordance with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard, 29 CFR 1910.1200. The owner or operator must submit the hazardous chemical inventory report if a hazardous chemical present at the facility meets or exceeds the reporting threshold.

Federal agencies were directed by Executive Order No. 12856, signed by President Clinton on August 3, 1993, to comply with all provisions of SARA Title III and the Pollution Prevention Act (PPA).

What Hazardous Chemicals Are Included?

The criteria for including chemicals in the section 311 report are the same as the criteria for including chemicals in the section 312 (Tier II) report.

Hazardous chemicals are those chemicals or substances stored or used in the work place for which OSHA requires employers to maintain SDSs. Over 650,000 products have SDSs required by OSHA. They are referred to here as “OSHA hazardous chemicals.” There is no list of these OSHA hazardous chemicals. The OSHA hazardous chemicals must have an associated physical and/or health hazard as defined in the OSHA regulations in 29 CFR 1910.1200(c).

Note: The Hazard Communication Standard requires chemical manufacturers, distributors, or importers to provide Safety Data Sheets (SDSs) (formerly known as Material Safety Data Sheets or MSDSs) to communicate the hazards of hazardous chemical products. As of June 1, 2015, new SDSs must be in a uniform format.
Physical and Health Hazards
The physical and health hazards will be described in the SDS. Check your SDS to see if the substance has associated physical and/or health hazards. If the SDS does not clearly describe the hazards, contact the manufacturer or importer of the substance for clarification. It is their responsibility to determine the hazards in accordance with OSHA standards and provide that information in the SDS.

Be aware that the National Fire Protection Association (NFPA) numeric hazard ratings are the opposite of the SDS ratings. On an SDS, 1 is the most hazardous and 5 is the least hazardous. A Category 1 fire hazard on an SDS is the same as a NFPA fire rating of 4. See the NFPA OSHA Quick Card.

Some non-hazardous substances such as water can also have SDSs. If a substance is not hazardous according to the OSHA definition, the SDS should state that there are “no known hazards.” Be aware that manufacturers sometimes claim in the SDS that a hazardous substance is not hazardous to avoid additional handling costs. Regardless of what is in the SDS, such substances must be included in the hazardous chemical inventory.

<table>
<thead>
<tr>
<th>Hazard Categories and Descriptions for Reporting Under Sections 311 and 312</th>
</tr>
</thead>
<tbody>
<tr>
<td>These hazards are described in detail in the OSHA Hazard Communication Standard</td>
</tr>
<tr>
<td>29 CFR 1910 section 1200</td>
</tr>
<tr>
<td><strong>Fire</strong></td>
</tr>
<tr>
<td>Flammable, combustible liquid, pyrophoric, and oxidizer. Flammable liquids have a flash point below 100 °F (37.8 °C). Flammable solids are solids that are liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or that can be ignited readily and when ignited burns vigorously and persistently. Combustible liquids have a flash point at or above 100 °F (37.8 °C) and below 200 °F (93.3 °C). A pyrophoric material can spontaneously ignite in air. An oxidizer initiates or promotes combustion in other materials.</td>
</tr>
<tr>
<td><strong>Sudden release of pressure</strong></td>
</tr>
<tr>
<td>Explosive, and compressed gas</td>
</tr>
<tr>
<td><strong>Reactive</strong></td>
</tr>
<tr>
<td>Unstable reactive, organic peroxide, and water reactive</td>
</tr>
<tr>
<td><strong>Immediate (acute)</strong></td>
</tr>
<tr>
<td>Highly toxic, toxic, irritant, sensitizer, corrosive, and other hazardous chemicals that cause an adverse effect to a target organ and which effect usually occurs rapidly as a result of short term exposure, and is of short duration</td>
</tr>
<tr>
<td><strong>Delayed (chronic)</strong></td>
</tr>
<tr>
<td>Carcinogens and other hazardous chemicals that cause an adverse effect to a target organ and which effect generally occurs as a result of long term exposure, and is of long duration</td>
</tr>
</tbody>
</table>
### Comparison of NFPA 704 and HazCom 2012 Labels

<table>
<thead>
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<th>NFPA 704</th>
<th>HazCom 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Purpose</strong></td>
<td>Provides basic information for emergency personnel responding to a fire or spill and those planning for emergency response.</td>
</tr>
<tr>
<td><strong>Number System:</strong> NFPA Rating and OSHA's Classification System</td>
<td>0-4</td>
</tr>
<tr>
<td></td>
<td>0-least hazardous</td>
</tr>
<tr>
<td></td>
<td>4-most hazardous</td>
</tr>
<tr>
<td><em>The Hazard category numbers are NOT required to be on labels but are required on SDSs in Section 2.</em></td>
<td>1) Classify using Appendix A (Health Hazards) and Appendix B (Physical Hazards)</td>
</tr>
<tr>
<td><strong>Information Provided on Label</strong></td>
<td><em>Health-Blue</em></td>
</tr>
<tr>
<td></td>
<td><em>Flammability-Red</em></td>
</tr>
<tr>
<td></td>
<td><em>Instability-Yellow</em></td>
</tr>
<tr>
<td></td>
<td><em>Special Hazards</em>-White</td>
</tr>
<tr>
<td><em>OX Oxidizers</em></td>
<td><em>Precautionary statement(s);</em> and</td>
</tr>
<tr>
<td></td>
<td><em>Water Reactives</em></td>
</tr>
<tr>
<td></td>
<td><em>SA Simple Asphyxiants</em></td>
</tr>
<tr>
<td><strong>Health Hazards on Label</strong></td>
<td>Acute (short term) health hazards ONLY. Acute hazards are more typical for emergency response applications. Chronic health effects are not covered by NFPA 704.</td>
</tr>
<tr>
<td><strong>Flammability/Physical Hazards on Label</strong></td>
<td>NFPA divides flammability and instability hazards into two separate numbers on the label. Flammability in red section Instability in yellow section</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>The hazard category numbers found in section 2 of the HC2012 compliant SDSs are NOT to be used to fill in the NFPA 704 diamond.</td>
</tr>
</tbody>
</table>

For more information:
- National Fire Protection Association
  - www.nfpa.org | 800.344.3555
- Occupational Safety and Health Administration
  - U.S. Department of Labor
  - www.osha.gov | 800.321.OSHA (6742)
Reporting Thresholds
The thresholds refer to the total amount of chemical on site, in storage and in process, at any one time. The minimum thresholds for reporting are:

- Extremely hazardous substance (EHS) = 500 pounds or the threshold planning quantity (TPQ), whichever is less. The amount of an EHS at a facility (both pure and in mixtures) must be aggregated for purposes of threshold determination. Include the EHS in a mixture if it makes up at least 1% of the mixture or 0.1% if the EHS is a carcinogen. EHSs and their TPQs are listed in Appendix A.

Non-reactive solid EHSs have two TPQs. Do not aggregate the amount of an EHS in a form that has the lower TPQ with the amount of the same EHS in a form that has the higher TPQ. See chapter 2 for the discussion regarding non-reactive solid EHSs.

- Gasoline (all grades combined) at retail gas stations if all gasoline is stored in compliant underground storage tanks (UST) = 75,000 gallons. The term gasoline includes gasohol that is composed of at least 90% gasoline and up to 10% ethanol.*

- Diesel fuel (all grades combined) at retail gas stations if all diesel fuel is stored in compliant underground storage tanks = 100,000 gallons.*

- All other OSHA hazardous chemicals (except as stated in the next bullet) = 10,000 pounds.

- The threshold for reporting in response to a request from the SERC, LEPC, or local fire department = zero. Regardless of the amount of chemical on site, you must submit a report if you are asked to do so by one of these agencies.

* Retail gas stations are those that sell gasoline and/or diesel fuel primarily to the public for motor vehicle use on land. Tanks are compliant if during the full previous year they were in compliance with all applicable UST requirements in the Michigan Underground Storage Tank rules promulgated pursuant to part 211 of Public Act 451. The higher gasoline and diesel fuel thresholds do not apply to alternative fuels (except gasohol), aviation fuel, heating fuel, kerosene, E-85, or gasoline with greater than 10% ethanol.

The thresholds for most substances are in pounds. What if your substance is a liquid and you only know the number of gallons? You will need to convert gallons to pounds by using this formula:

\[
\text{Specific gravity of product} \times 8.34 \text{ lb/gal (weight of water)} = \text{weight of product in lb/gal}
\]

The specific gravity (also called the relative density) can be found in section 9, “Physical & Chemical Properties,” of the SDS. It is a unit-less number that tells how much the substance weighs relative to the weight of water. If the specific gravity is 1, the substance weighs the same as water. If it is less than 1, then the substance weighs less than water. The specific gravity is often reported as a range. Use the highest value in the calculation.

If your substance is a gas, ask your supplier how much it weighs. The weights of some gases are listed in the box to the right.

<table>
<thead>
<tr>
<th>Substance</th>
<th>Weight (lb/gal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquid oxygen</td>
<td>9.528</td>
</tr>
<tr>
<td>Liquid argon</td>
<td>11.630</td>
</tr>
<tr>
<td>Liquid nitrogen</td>
<td>6.945</td>
</tr>
</tbody>
</table>
What Chemicals Are Excluded?

Section 311(e) of SARA Title III excludes the following substances from the hazardous chemical inventory reporting requirements in sections 311 and 312:

- Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration.

- Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use.**

- Any substance to the extent it is used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public.

- Any substance to the extent it is used in a research laboratory or hospital or other medical facility under the direct supervision of a technically qualified individual.

- 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.

**Under EPA’s interpretation published July 13, 2010, facilities only have to include and count the amount of fume or dust emitted or released from a manufactured solid that is being modified to determine if the SARA Title III sections 311 and 312 reporting thresholds have been reached. This interpretation applies to metal, bricks, and any other manufactured solid item that undergoes a modification process. It does not apply to lead in batteries.

Hazardous Chemical Inventory Reports

Chemicals can be reported as pure substances, as mixtures, or as the total quantity of a chemical at the facility (adding together the amounts present as a component in mixtures and in pure form). Similar substances can be grouped if appropriate. The reporting option you choose should be the same for both the initial and annual reports.

How you report your chemicals depends on what format is of most value to the planners and responders. If you are reporting for a warehouse with 100 different products that all contain the same flammable base ingredient, report the base ingredient. If you have 5 different colors of enamel paint, group them and report enamel paint. Likewise, different grades of gasoline should be combined and reported as “gasoline.” If you have a plating solution that contains both sulfuric acid and nitric acid, report the plating solution as a mixture, and use the option to report the mixture ingredients on the Tier II report.

Section 311 Initial Report

The purpose of the initial report required under Section 311 is to let state and local officials know that your facility recently acquired OSHA hazardous chemicals that are on site in amounts equal to or greater than the thresholds. This initial report is sometimes called the SDS report.
because the regulation allows you to submit an SDS to fulfill this requirement. Beginning in 2014, the section 311 report will be submitted as a current year Update to the section 312 Tier II report. In this way, all chemicals, existing and new, will appear in the same report.

**Section 312 Annual (Tier II) Report**

The purpose of the annual report required under section 312 is to provide state and local officials and the public with specific information on hazardous chemicals that were present at your facility at any time during the previous calendar year at levels that equaled or exceeded the thresholds. The annual report is the Tier II Emergency and Hazardous Chemical Inventory report, or Tier II report.

The Tier One report is of limited value and is not supported by any state.

The Tier II report is a certified report that contains specifics about the facility location, the owner or operator, emergency contacts, and other identifying information. It also describes each reportable chemical, and includes the amount that was on site during the previous year, where it was located, and how it was stored. Site maps and SDSs can be attached to the Tier II report to clarify the reported information.

**Where to Submit the Reports**

The Initial and Annual reports must be submitted to ALL of the following agencies:

1. Michigan SARA Title III Program
2. LEPC
3. Local fire department

The Michigan SARA Title III Program accepts all reports on behalf of the State Emergency Response Commission (SERC).

The Michigan SARA Title III Program receives all reports online. LEPCs and fire departments in the counties of Genesee, Ingham, Kent, Oakland, Ottawa, Washtenaw and Wayne also receive the reports online. You must send a paper copy to all other LEPCs and fire departments. Addresses for LEPCs are available at [www.michigan.gov/sara](http://www.michigan.gov/sara). Before mailing your report, check the website to see if the LEPC address has been updated.

**Due Dates**

- The Initial report must be submitted within 3 months after the chemical threshold is first met or exceeded.

- The Annual (Tier II) report must be submitted annually between January 1 and March 1 and covers the inventory that was on site during the previous calendar year.

- The LEPC may ask a facility owner or operator to submit an SDS for a hazardous chemical present at the facility. The owner or operator must provide the SDS within 30 days after receipt of the request.

- The SERC, LEPC, or fire department having jurisdiction over the facility may ask a facility owner or operator to submit Tier II information regardless of chemical amounts. The owner or operator must provide the Tier II information within 30 days after receipt of the request.
CHAPTER 3: SARA Title III Sections 311 & 312

Confidential and Trade Secret Information

Confidential Location Information
Under section 324 of SARA Title III, you are not required to make chemical storage location information available to the public if doing so might pose a security risk. The chemical location includes the container type, temperature, pressure, and location description. You may not withhold this information from the SERC, the LEPC, or the local fire department. The online reporting program lets you identify which chemical locations should be kept confidential (i.e. not disclosed to the public). You may also mark attachments, such as site maps, as confidential.

Trade Secrets
You may be able to withhold the name of a specific chemical when submitting information under sections 311 or 312 if that chemical name is claimed as a trade secret by your company. Do not confuse this with SDSs that claim trade secret ingredients. The requirements for withholding trade secret information are specified in SARA Title III section 322 and implemented in 40 CFR part 350. If you are withholding the name of a specific chemical or product as a trade secret, you must report the generic class or category that is structurally descriptive of the chemical (e.g. list toluene diisocyanate as organic isocyanate) along with all other required information. You must submit the withheld information to EPA and substantiate your claim every time you report. There is a link to the Trade Secret Substantiation Form and instructions in the online reporting program or you can go to www.epa.gov/emergencies, select “EPCRA” and then “trade secret forms and instructions.”

Online Report Overview
Michigan began using an online reporting program, Tier II Manager™ in 2007 so that the data would be more readily available to planners (LEPCs) and responders (fire departments). The online program allows facilities to manage their own data and enter updates at any time during the year. The Tier II report is a snapshot of the data that is certified annually as being true, accurate, and complete.

The Tier II Manager™ program was rewritten in 2014 on an updated platform and includes new required and optional data elements. The three reports that were previously submitted individually (section 302 emergency planning, section 311 initial hazardous chemical inventory, and section 312 annual hazardous chemical inventory) have been combined into a single report.

- The annual Tier II report is submitted at the beginning of the year to report the chemicals that were on site during the previous calendar year as required under section 312. This report is a snapshot of the inventory for the specified report year and can be revised if needed.

- When a new chemical is added, a current year update report is submitted to meet the requirements of section 311. Update reports should also be submitted when chemicals are removed or there are other significant changes such as new emergency contact information.

- Whenever chemical information is updated, the program will aggregate amounts of individual EHSs and compare them to the associated TPQs. It will update the 302 status accordingly. This meets the requirements of a section 302 Emergency Planning Notification.
Community Right-to-Know Provisions

Hazardous chemical inventory information is available to the public under the Community Right-to-Know provisions in SARA Title III. Requests can be made in writing to the LEPC or SERC as described below. The public should not go to the facility or to the fire department with information requests. The Michigan SARA Title III Program handles all information requests on behalf of the SERC. Addresses for the Michigan SARA Title III Program and the LEPCs are posted on the Michigan SARA Title III Program website.

A person may obtain an SDS for a specific chemical at a specified facility by writing to the LEPC and asking for it. If the LEPC does not have the SDS, the LEPC must request the SDS from the facility’s owner or operator. Most SDSs are available to the public on the Internet.

A person may request Tier II information for a specific facility by writing to the SERC or LEPC and asking for it. The SERC or LEPC must respond to a request for Tier II information within 45 days after receiving the request.

If the SERC or LEPC does not have the Tier II information, it must request it from the facility owner or operator in either of the following cases:

- The request is for hazardous chemicals in amounts greater than 10,000 pounds stored at the facility at any time during the previous calendar year, or

- The person making the request is a State or local official acting in his or her official capacity.

If neither of these conditions is met, the SERC or LEPC may request the information from the facility owner or operator if the request includes a general statement of need.

When responding to a request for Tier II information, the SERC or LEPC must not disclose location information, including attachments, that has been designated confidential in the Tier II report.

Local Fire Department Requests

If you are the owner or operator of a facility that has submitted inventory information under sections 311 or 312, you must comply with the following two requirements upon request by the fire department with jurisdiction over your facility:

1. You must allow the fire department to conduct an on-site inspection of your facility; and

2. You must provide the fire department with information regarding the specific locations of hazardous chemicals at your facility.

Michigan’s Fire Prevention Code, Act 207 of 1941, section 29.5p, requires that all employers provide information about all hazardous substances at their facility, along with SDSs, to the fire chief with jurisdiction over their facility upon written request by the fire chief.
Online Reporting in Tier II Manager™

Getting Started

Tier II Manager™ is an online reporting program hosted by the Michigan SARA Title III Program. It was first made available to reporters in April of 2007. The program was redesigned in 2013 and includes the new required information. There is no fee associated with reports submitted in Tier II Manager™.

Beginning in 2014, only one report format will be submitted online. This report includes all data elements required in the following SARA Title III reports:

- Section 302 Emergency Planning Notification
- Section 311 Initial report of hazardous chemicals (sometimes called the SDS report)
- Section 312 Tier II annual report of hazardous chemicals

Who Can Report Online

Everyone can and should submit reports online. The Michigan SARA Title III Program receives reports for all facilities that are submitted online. This meets the requirement to submit reports to the SERC. In addition, if your facility is in one of the participating counties listed below, you will not have to submit paper copies to anyone. Paper copies can be printed in the online program and must be submitted to LEPCs and fire departments in all other counties.

Participating Counties

- Genesee
- Ingham
- Kent
- Oakland
- Ottawa
- Washtenaw
- Wayne

The Administrator

The Administrator for this program is the Michigan SARA Title III Program in the Department of Environmental Quality (DEQ).

To contact the Administrator: select “feedback” in the program menu bar, email deg-sara@michigan.gov or call 517-284-SARA (517-284-7272).

System Requirements

Beginning in 2014, the Tier II Manager™ program has new system requirements.

1) You must use one of the following browsers:
   - Internet Explorer 9 (non-compatibility mode) or higher,
   - Firefox 20 or higher, or
   - Chrome 26 or higher.
2) Adobe Acrobat Reader must be installed.
3) Javascript must be ENABLED
4) Popup blockers must be DISABLED
   - If “Pop-up Blocker” is not available in the Tools menu, check whether MSN, Yahoo, or Google toolbars are on your computer and turn off their popup blockers.
Accessing Tier II Manager™

**Website Location**
To access the online reporting program, go to the Michigan SARA Title III Program website, www.michigan.gov/sara, select “SARA Title III - Hazardous Chemical Inventory” and then click on the Tier II Manager™ button. You will see this screen:

![Image of login screen]

**User Accounts**
All User Accounts established prior to 2014 have been imported into the redesigned Tier II Manager™ program. Log in with your existing username and password.

Each user should have only one User Account, but you can report for multiple facilities. All facilities that are in Tier II Manager™ are assigned to a User Account.

Be sure your email service will accept mail from deq-ead-tier2@michigan.gov. Emails generated by the program will come from this email address.

**Sign In**
Sign in if you are a reporter for an existing facility. You can access only the facilities that are assigned to your User Account.

If you have assumed the reporting duties from someone else, contact the Administrator. The facilities will be under that other person's User Account. Depending on the situation, the Administrator will either change the user profile for that User Account to make it yours, or have you register for a new User Account and move the facilities to your User Account.

**Forgot your username?** When you select “Forgot Username” on the sign in screen, a request will be sent to the Administrator to send you your username.

**Forgot your password?** Select “Forgot Password” and follow the prompts to create a new one.
CHAPTER 3:  SARA Title III Sections 311 & 312

Registration
Before you register, send an email to the Administrator with the names and addresses of the facilities for which you will be reporting to see if those facilities are already in the database. Do not register for someone else. The information entered for the User Account must be for the actual user of the program. You will be contacted by email when your User Account has been approved by the Administrator.

Consultants
If you are a consultant, you must register to get your own User Account. Regardless of the number of companies that you represent, you should have only one User Account. Do not register if you are not sure that you will be reporting for a company.

If your company wants to use consultant services, send an email to the Administrator that includes the name of the consultant that has permission to access your data. The email subject line should say “Consultant Needs Access.” Copy your email to the consultant. The Administrator will move your facility records to the consultant's User Account where the facility records will remain until you indicate otherwise. An email will be sent to you and your consultant when this has been completed.

Consultants can enter the certification information for the company representative that will certify the report. Read about certifications on page 3-23.

Online Reporting Process
All of the data and reports that were in the online database in December of 2013 have been imported into the updated Tier II Manager™ program.

As a security feature, the program will time out after 20 minutes of inactivity. Make sure that you select “save” after entering information on each screen to prevent data loss. A warning will appear 2 minutes before timing out. Press “OK” to refresh the time or “Cancel” to allow the program to time out.

Welcome Page
The welcome page summarizes the regulations and includes links to your list of facilities and to your User Account. Be sure to go into Update My Profile at least annually and assure that your email and phone numbers are correct.
Offline reports are for Tier II report print files that are too large to generate in the program. Most facilities will not use this option.

**Help**
Click on the “?” icon on the right side of the page for help and to view resources.

**List Facilities**
When you select List Facilities under the Facility tab, the program returns all of the “active” facilities that are under your User Account. You can access reports for any of these facilities, or add a new facility. **IMPORTANT! Contact the Administrator if this list is not correct or complete.**

Click the icon on the right side of the screen to change the columns that you view on this page.
Click the icon shown below to see the inactive facilities that are under your user account. You can change the status of an inactive facility to active if needed.

List Submissions
Select a facility from the list of active facilities (by clicking on its facility/site name) to see all past submissions for that facility. This includes Tier II Reports, section 302 Reports and section 311 Reports. The section 302 and 311 reports are for viewing only.

All reports submitted in Tier II Manager™ will be Tier II Reports. There are three types of Tier II Reports:
1. The Annual Report is required under section 312 and is a report of the hazardous chemical inventory that was on site during the previous calendar year.
2. If there was an error in the Annual Report, you can submit a Revision Report.
3. When you bring a new chemical on site in an amount that exceeds the threshold, you must submit a current year Update Report. This replaces the separate section 311 Report. If you add or revise an extremely hazardous substance that exceeds the threshold planning quantity, then the Update Report replaces the separate section 302 Report. The Update Report should also be submitted when there are changes that affect emergency planning and response – such as when chemicals are removed from the site or contact information changes.

The reports on the List Submissions page that have a “completed” status can only be viewed.

Add a New Report
Start a new report, this includes editing/revising an existing report, by clicking on “Add a New Annual/Revision/Update Report.” Then choose a report class to continue.
When you select the report class, the program will take you to the Edit Report page. There are six steps on this page that must be completed. The program will put a check mark by each step that is complete.

- Click on the “+” sign to expand the step and edit the data.
- Click on the name of the facility to go back to the List Submissions page.
- Click on “print report” to view or print the report.
- The notes that you enter here will only be applied to this report.

### Step 1: Review Facility Information

The Facility Information is divided into three pages that all need to be edited and saved. The tab for the page you are working on will be highlighted in blue.

Under the Location & Nature of Business tab:
- Enter the full name and full street address of the facility where the chemicals are located. If a street address is not available, enter other appropriate identifiers that describe the physical location of your facility. Do not enter a post office box.
• If you are editing an existing facility, do not edit the address. The SARA ID is associated with your facility at the existing address. Sometimes the post office will change your address. In this case, notify the Administrator that the facility address, but not the location, has changed.

• Choose the name of the primary Fire Department that will respond to an emergency at your facility, and that will receive this report. Contact the Administrator if your fire department is not listed in the drop down.

• Enter the primary 6-digit 2012 North American Industry Classification System (NAICS) code for your facility. You can enter multiple NAICS codes if appropriate. Use the Nature of Business field to describe the type of facility.

• There are new required data elements for 2014, so all steps should be reviewed. Required fields are marked with a red asterisk. The new fields that need to be completed in Step 1 are:
  • Indication if the facility is manned or unmanned.
  • Estimate of the maximum number of occupants at one time.
  • Parent company details (different from owner/operator details). These are new optional data elements.
  • Email for facility owner or operator.

The Facility Contact under the Contacts tab in Step 1 is optional. The person to contact for information regarding the Tier II report is required in Step 4.

**Step 2: Review Chemical Inventory**

The chemical list includes all of the chemicals that are in the most current certified report.

• Delete chemicals that were removed prior to the previous calendar year, or that you do not intend to report because they were below threshold during the previous calendar year. *(See the “Inventory Updates” discussion at the end of this chapter.)*

• Edit or add chemicals that were on site and equaled or exceeded threshold at any time during the previous calendar year.

• Information for each chemical must be **saved in the program at least once** even if there are no changes. The program will otherwise not recognize the chemical amounts.

• **Pure Chemicals and Mixture Chemicals must be reported separately.** This is a new requirement needed for accurate amount calculations.

• Review the Safety Data Sheet (SDS) for the chemical you are reporting. It will have much of the information that you need to complete this section.

Remember that you **must report OSHA hazardous chemicals that met or exceeded the threshold at any time during the previous calendar year.** If requested by your LEPC or fire department, you must report these chemicals regardless of the amount on site. You are encouraged report OSHA hazardous chemicals that do not meet the threshold, or other hazardous substances (such as hazardous wastes), if you determine that it might be beneficial for the LEPC or fire department to have this information.

The chemical details are divided into two pages that both need to be edited and saved.
- Enter the Chemical Abstracts Service (CAS) number. You can find this on the SDS. You may also use the chemical search function in the program to find this number. For mixtures, enter the CAS number of the mixture as a whole if it has been assigned a number distinct from its constituents. If the mixture has no CAS number, enter N/A.

- Enter the chemical name or common name of the hazardous chemical. Do not enter the trade name. You may use the chemical search function to find the chemical or common name associated with the CAS number.

- If you are adding a chemical to comply with section 311, enter the “chemical added to site date.”

- Trade Secret information refers to the product or chemical, and should not be confused with SDSs that claim trade secrecy with regard to the ingredients in a product. Read about Trade Secrets on page 3-9 before you check this box.

- If you are reporting an Extremely Hazardous Substance (EHS) only, it must be marked as Pure. If the EHS is really part of a Mixture, enter the product name in the Chemical Name field, check off Mixture, and enter the EHS (and other ingredients) in the Mixture Component List.

- Enter the CAS number, chemical name, and weight percent (%) of any significant mixture component(s). Use the “search” function to help assure that the chemical name matches the CAS number. The mixture component percentages do not need to add up to 100%. If the mixture percentage is reported as a range on the SDS, enter the highest number in that range.

- If you are adding an EHS that is a non-reactive solid (see chapter 2), then the program will require that you answer additional questions about the form of the EHS at your facility.
• Check all physical and health hazards that apply. This information should be on the SDS.

Attaching an SDS is usually not necessary for common chemicals. The SDSs are an important resource for the LEPCs and fire departments, and Tier II Manager™ allows you to attach SDSs. However, the program module used by planners and responders also accesses an extensive SDS database and can usually link the applicable SDS to the reported chemical. In general, an SDS should not be needed if you have provided the chemical name or common name (not the trade name) of the substance along with a CAS number.

- The Maximum Daily Amount in the Chemical Inventory is an estimate of the largest amount of the chemical that was present at your facility (in storage and in process) on any single day during the reporting period. This is the worst case scenario in the event of an emergency at your facility. What is the maximum amount of chemical that could be involved in an incident? Enter this amount in pounds. Beginning in 2014, the amount codes in the chemical inventory section represent new ranges. The new amount code will be entered for you in the program when you tab over that field.

- The Average Daily Amount is an estimate of the amount of the chemical that was present at your facility on an average day during the reporting period. This is the most likely scenario in the event of an emergency at your facility. How much chemical would generally be expected to be on site? Enter this amount in pounds. The amount code will be entered for you in the online program when you tab over that field.

- The Maximum Amount in Largest Container is a new optional field. Please complete this if you have the information as it is very useful to the emergency planners and first responders.

- For the Number of Days On Site, enter the number of days that the chemical was on site in any amount during the previous full calendar year (the reporting period).

- Beginning in 2014, the Storage Location information no longer uses codes. You will choose from a list of container types, and pressure and temperature conditions. If you choose container type “other,” a new field will appear where you can enter that container type.
“Pick Storage Location” allows you to select a storage location that you have already used on your report. If you select “new,” a new field will appear where you can enter the location description. This describes where the chemical is located at the facility; such as “NW corner of bldg. 1.” Do not enter the facility address here.

Read about Confidential Locations on page 3-9.
  - If you choose to keep the location and storage conditions confidential, check the “confidential location” box for that storage location.
  - If any of the locations are confidential, be sure that the site map with chemical locations identified is also marked “confidential” (see Step 5: Review Attachments)

The Storage Location Max Daily Amount is a new optional field that is especially useful to planners and responders when a chemical is present in multiple buildings at the facility.

**Mixture Example: Lead-Acid Batteries**

Lead-acid batteries are mixtures containing lead (an OSHA hazardous chemical) and sulfuric acid (an EHS). If you know the total weight of the battery, the amount of lead and sulfuric acid can be estimated. This example uses a formula approved by EPA to estimate the weight of the mixture components of typical lead-acid batteries based on the total weight of the batteries. It is not required that you use this formula.

- Basic formula for lead-acid batteries: 2/3 of the total weight is lead. 1/3 of the total weight is electrolyte (battery acid). 1/3 of the electrolyte is sulfuric acid.

Sulfuric acid in lead-acid batteries with liquid electrolyte is often less than and never more than 11% of the total battery weight.

Enter lead-acid battery as the main chemical as shown below. When you check the Mixture box, the Mixture Component List will appear where you can and enter the lead and sulfuric acid mixture components and the associated percentages. If you have batteries and do not know the actual percentages of the mixture components, the percentages in this example may be used.
On the Inventory & Storage page, enter the total battery weight. The weights of sulfuric acid and lead in the batteries will be calculated by the program and will populate the Max Daily Amount field in the screen above.

Here is what the battery entry looks like on the printed report (use of a hand lens here is recommended):
CHAPTER 3: SARA Title III Sections 311 & 312

Step 3: Review Subject to Status

This section of the report includes the following environmental program status fields that were first required in 2014:

- An indication whether the facility is subject to the chemical accident prevention requirements under section 112(r) of the Clean Air Act (CAA), also known as the Risk Management Program.
- Facility identification numbers assigned under the Toxic Chemical Release Inventory (TRI) and the Risk Management Program. If the facility has not been assigned an identification number under these programs, or if the facility is not subject to reporting under these programs, enter N/A in this field.
- An indication if the facility is subject to the emergency planning notification requirement under section 302 of SARA Title III. This will be assigned automatically based on the EHS inventory that you entered in Step 2.

This section also includes an indication if the facility is subject to section 312 of SARA Title III. This status is assigned by the Administrator. If this is not correct, contact the Administrator.

Step 4: Review Report Contacts

Beginning in 2014, you must report the following new data elements in Step 4:

- The name, title, phone number, and email of the person to contact regarding information in the Tier II report. This will usually be the person who entered the report in the online program.
- The name, title, phone number, 24-hour phone number, and email of the facility emergency coordinator if subject to section 302. This is the person who will work with the LEPC to develop the offsite emergency response plan.
- An email address for facility emergency contacts.

Step 5: Review Attachments

The Site Plan (site map), and the Facility Emergency Response Plan are optional attachments that are important resources for planners and responders that have access to the program. You are encouraged to attach these documents. They can be attached and updated at any time. It is recommended that you use the PDF file format. The files must be less than 2 MB. Be sure to mark the files as confidential before you attach them if you do not want them made available to the public. Provide these documents in paper copy to LEPCs and fire departments that are not in participating counties. If you have already provided them, you do not need to do so again.

Notes

The Notes field is at the top of the page. Enter notes before you submit your report. Notes will print at the end of the report, and they will be viewable by the Administrator and any planners and responders with access to the online database. The notes you enter for this report will only appear on this report.

Step 6: Submit Report

If any of the required data elements are incomplete, they will be identified by this symbol 🚨 and you will not be able to submit your report. When you click on the alert symbol, a pop-up will describe any problems with the entry.
The Tier II report certification is the last step in the submittal process. *The reporter can enter the certification information even if the reporter is not the person that is actually certifying the report.*

- Enter of the name and official title of the owner or operator or the officially designated representative of the owner or operator who can and will certify that the information in the report is “true, accurate and complete.”

**If you are the reporter, but not the certifier,** you should let the certifier see the report before you complete the certification. After the report has been updated, click on “Print Report” at the top of the Edit Report Homepage. This displays the uncertified Tier II report as a PDF file. Look at the top right side of the screen where you will see these icons:

![Page 1 of 5](image)

Click on the icon with the down-arrow to download and save the report on your computer. You can email this PDF file to the certifier for their review. When the certifier is satisfied with the report, you can complete the certification and the submittal.

Do **not** mail a certification letter or the certified report to the agencies that can receive the report online. It is recommended that you keep a signed paper copy for your records. If you mail a paper copy of the report to an agency, it should be signed by the certifier.

**Final Step**

After submitting the report, you can print the report. The Michigan SARA Title III Program and LEPCs and fire departments in the participating counties (Genesee, Ingham, Kent, Oakland, Ottawa, Washtenaw and Wayne) receive the report online. Please do **not** file paper copies of your Tier II report with these agencies unless specifically asked to do so. All other LEPCs and fire departments require signed paper reports.

**A paper copy of the Tier II report must be mailed to the LEPC and fire department if they are not in one of the participating counties.**

**Managing Reports & Data**

**Add New Facility**

Before you add a new facility, it is recommended that you contact the Administrator to assure that the new facility is not already in the database. Remember that you cannot see all facilities in the database, and the facility that you think is new might be in the database assigned to a different User Account. *If you add a new facility and it already exists in the database, the Administrator will delete the new facility and ask that you update the information for the existing facility.*

Do **not add a new facility** unless you are certain that it does not already exist in the online database. Ask the Administrator if you do not know.

**Facility No Longer Required to File**

If your facility is no longer required to file a report (both Tier II and section 302), select the facility from the list of active facilities by clicking on the name of the facility. This will open the list of submissions.
for that facility. Click on “Change Facility Status” that appears on the top right side of the page. Select the reason or reasons you are making the facility inactive, and enter the date this event occurred.

**Facility Closed and Chemicals Removed**
If your facility has closed, make sure that all chemicals are removed from the property. Then follow the procedures for “Facility No Longer Required to File.”

**Facility Moved**
If your facility moved its operations and chemicals to a new location, follow the procedures for “Facility No Longer Required to File” for the old location, and then add a new facility to the database for the new location. Do NOT change the address for an existing facility. Be sure to use the Notes field to explain the move.

**Facility Sold or Purchased**
If your facility was sold to another company and you are no longer responsible for reporting, do NOT make it inactive. Contact the Administrator and provide contact information for the new owner. If you have purchased a facility, contact the Administrator to see if it is already in the database. In both cases, the Administrator will move the facility file to the new company’s User Account.

**Ownership Change**
If your facility was sold to another company but you will continue to report, update the Facility Information as appropriate. Be sure to use the Notes field to explain the ownership change.

**Inventory Updates**
The Tier II report process in Michigan has been reinvented with the updated Tier II Manager™ program that was implemented in 2014. The 2013 Annual Tier II report that you submit prior to the March 1, 2014, deadline will include all chemicals that were on site at any time during 2013 that met or exceeded the reporting threshold – regardless of whether or not it was on site at the end of the year. Going forward, this will change. When a chemical is removed, edit the inventory and submit an Update report. This will document when the chemical was removed and it will not need to be included on the next Annual Tier II report.

The inventory in the online reporting program should always be current, and Update reports should be mailed to the LEPCs and fire departments that are not in participating counties. This will assure that our emergency planners and responders always have the best information available. It is all about safety, being prepared, and protecting the first responders, your community, and your business.

**Access to the Data and Reports**
The data are stored in a secure online database. Approved individuals in the Michigan SARA Title III Program, the Michigan State Police Emergency Management & Homeland Security Division, EPA Region 5, and the LEPCs and fire departments in the participating counties will have access to your certified reports as well as your current data via the Internet. Facility users only have access to reports and data for facilities assigned to their User Account.

A member of the community may request an SDS or Tier II information for a specified facility pursuant to the Community Right-to-Know provisions of SARA Title III. Information from the database can also be obtained through Freedom of Information Act requests. All requests must be in writing. Confidential location information and any attachments that are marked confidential are not provided.
Keeping Copies of the Reports

SARA Title III does not have record retention requirements for sections 302, 311 and 312 (Tier II) reports. The reports that you submit online are available to you at any time. However, in the event of an unforeseen situation, it is recommended that you keep a signed hardcopy of your reports on file for five years. Five years is the statute of limitations. The statute of limitations is the maximum period of time, after certain events, that legal proceedings based on those events can be initiated.