



**MIKE BEEBE
GOVERNOR**

**STATE OF ARKANSAS
DEPARTMENT OF EMERGENCY MANAGEMENT**

Building 9501
Camp Joseph T. Robinson
North Little Rock, AR 72199
(501) 683-6700
FAX (501) 683-7890
www.adem.arkansas.gov



**DAVID MAXWELL
DIRECTOR**

December 8, 2011

Dear Environmental Compliance Official:

March 1, 2012 is the due date for the 2011 Sara Title III Tier II reports and the associated fees. **Tier II Submit software needs to be reported via CD or through the ADEM website electronically in a zip file. Submissions only have to be made to the State; we will forward reports to the local fire departments and LEPC's.**

Oil and Gas Exploration and Production Industries: On October 9, 1997, the State Emergency Response Commission declared each lease (as recorded with the Oil and Gas Commission) to be recognized as a 'facility' thus, requiring a Tier II report and fee to be filed for each lease/facility. The fee for submitting the Generic Hazardous Chemical List, a listing of over 200 chemicals, will be capped at \$200.00 per lease/facility. Be sure to include a completed and signed Tier II form with the Generic List. Multiple locations may be submitted on one disk/CD.

Reminder: Effective March 1, 1999, the EPA raised the EPCRA section 311-312 reporting threshold for gasoline to 75,000 gallons and diesel fuel to 100,000 gallons at retail gasoline stations. Facilities not exceeding this threshold do not need to submit a report. **Bulk Stations ARE NOT exempt from reporting or Fees.**

Agricultural Operations – No report or fee for the state, but filing a report with your County Coordinator and/or Fire Department is strongly recommended.

Retail Fertilizer (only) – No report or fee for the state, but it is mandatory that a report be filed with your County Coordinator and/or local Fire Department.

Federal, State, County and Municipal Facilities – No fee required, but full reporting is mandatory.

Use of Tier II Submit software for submitting reports is required in the State of Arkansas, effective March 2005.

WHAT WERE YOUR FEES USED FOR IN 2010-2011?

- We provided Hazardous Materials training to groups and organizations throughout the state.
- We provided training that allowed First Responders to receive their certification from the State Emergency Response Commission.
- Our office continues to update and maintain our database and files of all Tier II and TRI reports for the last four years. This information is used in the event of emergencies to provide data analysis for LEPC emergency planning, and to support the Freedom of Information Act.

We encourage you to contact your county LEPC contact person (from the list provided) and your local Fire Department to discuss your emergency needs and plans. If you are interested in participating in any of our Hazardous Materials Training programs, or if you need assistance in completing your Tier II report, please call us at (501)683-6700.

For additional information concerning SARA Title III Section 312 (Tier II reporting) you may contact the **EPA Hotline at 1-800-424-9346**, or to download the software go to the EPA web-site at:

<http://www.epa.gov/emergencies/content/epcra/statetier2.htm#arkansas>

SARA Title III, Section 312 (Tier II) Fee Schedule

General information:

- Annual reports and fees are due by March 1, 2011.
- Fees may be submitted by credit card through the ADEM website.
- MSDS sheets are NOT required with your report unless you are reporting a new chemical.
- Use of the Tier II Submit Software via CD or zip file electronically is mandatory for the 2012 reporting year.
- Separate reporting and associated fees are necessary for each site/facility that has a separate physical location. Multiple locations may be submitted on one CD or zip file electronically.

*****Fees are due upon report submission*****

*****Make checks payable to: Arkansas Department of Emergency Management***
*****Building #9501 Camp Joseph T. Robinson, North Little Rock, AR 72199*******

When using Tier II Submit Software **label the CD or zip file electronically with the facility name, address and filing year**. Filing fees are as follows: \$25.00 for first three chemicals, \$5.00 for each additional 3 chemicals (or portions thereof) there is a ceiling per location of \$200.00. **Fees may be submitted by credit card through the ADEM website.**

Examples:

1 Facility – 1 Chemical	= 25.00
1 Facility – 3 Chemicals	= 25.00
1 Facility – 4 Chemicals	= 30.00
1 Facility – 7 Chemicals	= 35.00

A copy of this document may be used as an invoice, if needed. It will be the only notification of fees due.

Sincerely,

Kenny Harmon

Hazardous Materials Program Manager

KDH:msh

Enclosure: LEPC mailing list and Certification/Signature letter may be found on our website in the Shared Files under the Tier Two reporting folder.