

E-Plan Reporting Frequently Asked Questions (FAQs)

Do I have to report a Tier II under Section 312?

You need to report if you meet the following requirements:

Reportable Quantities: Facilities must report if any of the following (1 or 2) are met:

1. Facilities that use and/or store 500 pounds of an extremely hazardous substance (EHS), or the threshold planning quantity (TPQ), whichever is lower. EHSs are listed in the document known as the "List of Lists", published by the EPA.
2. Facilities that use and/or store non-EHS products that are in excess of 10,000 pounds and are required to have a material safety data sheet (MSDS) on site. Facilities can determine if they are required to have an MSDS on site by reviewing federal code of regulations 29CFR1910.1200.
 - Exemptions to reporting:
There are exemptions to reporting (limited). These can be found in 40CFR370.41. The exemptions include hospitals that store liquid oxygen. Also, limited exemptions are provided for trade secrets, which can be found in 40CFR350.

Who do I submit my report to?

Tier II reports are to be filed with the State Emergency Response Commission (SERC), the county Local Emergency Planning Committee (LEPC) and the fire department having jurisdiction over the facility.

How do I submit my information?

The State (SERC) is accepting submission on a web-based application known as E-Plan. Industry and county LEPCs are not mandated to use the system, but are encouraged to do so. It is up to each county to decide for themselves and many counties are accepting reports on the E-Plan system. Industry should contact the county in which the facility resides in to determine if the county is accepting submission on E-Plan. The website is <https://erplan.net/eplan/login.htm>. You will need to create a user ID and password and remember it for future use. The State will also accept hardcopy Tier II forms as well. However, if avoidable, please do not send the submission in the Tier2 Submit format.

There is a \$25 charge per facility to submit via E-Plan. There are no charges for the secure access to that data by first response agencies.

When I file my Tier II reports, for what year am I submitting?

On the third page of the submission form, the date of submission will be the reportable quantities for the *previous* year. So when making a submission in 2009, you are reporting quantities for 2008. Similar to reporting income taxes, you are reporting for the year that just ended.

E-Plan makes it possible to go on line and update reportable quantities at any time. Those updates should be listed as the year they were entered.

How do I upload documents (for example: contingency plans, maps, floor plans, or MSDSs) onto the E-Plan system?

To upload additional documents the procedure is as follows:

- Log into the E-Plan's Online Tier II Reporting System at <http://tier2.erplan.net> using your Access ID and password.
- On the Submission Home page, go to the 'Enter new Data/ Retrieve old Data' box and select the 'Select a year to file/retrieve Tier II data'. Click on Continue.
- The Filing Management page will appear. Click on the Edit button beside the facility. The selected Facility Information page will appear.
- Select the Documents link on the menu bar. Click on Browse and choose the file on your computer that you want to upload.
- Fill in a Description for the file (such as Contingency Plan).
- Click the Upload button to load the selected file. This procedure is for uploading documents for a facility in general:
- If you want to upload a document under a particular contact, use the Edit link and the Documents tab.
- If you want to upload a document under a particular chemical, use the Edit link and the Additional Documents tab.
- There is no difference between uploading a document under a Facility, a Chemical, or a Contact, at least from a first responder's perspective. When a first responder looks at facility information on E-Plan, all the documents under Facility, Chemical, and Contact appear as a single menu.

How can I import an existing submission from EPA's *Tier2 Submit* software into E-Plan's Online Tier II Reporting System?

- Once the Tier2 Submit zip or t2s file is created, it can be imported into the E-Plan's Online Tier II Reporting System by uploading the file through the web interface. The functionality to perform this operation (i.e. Tier2 '.zip', Tier2 '.t2s', or CAMEO '.zip' file) is present under the Submission Home screen upon logging into the E-Plan's Online Tier II Reporting System.
- Log into the E-Plan's Online Tier II Reporting System at <http://tier2.erplan.net> using your Access ID and password.
- On the Submission Home page, go to the 'Upload Tier2 '.zip', Tier2 '.t2s', or CAMEO '.zip' file' box and click on Continue.
- The Import Tier2 or CAMEO Data Files page will appear. Click on
- Browse and choose the appropriate zip or t2s file on your computer that you want to upload.
- Click on the Upload button to load the selected zip or t2s file. The Importing Uploaded File screen will appear. Please wait while the uploaded file is processed. This process may take several minutes depending on the size of the uploaded file.
- Once the process is completed, the File Successfully Uploaded screen will appear. You can verify the result and then scroll down to the bottom of the page and click on the Continue button to save.

Note: The Tier2 or CAMEO data files will be imported as they are into the E-Plan's Online Tier II Reporting System. For example, if the Tier2 or CAMEO data files are for year 2007, they will be imported as year 2007 submission. You will have to convert the data from year 2007 to the filing year using the Copy Data from Previous Year function on the Submission page.

Can a zip file made from CAMEO be loaded into E-Plan?

- Log into the E-Plan's Online Tier II Reporting System at <http://tier2.erplan.net> using your Access ID and password.
- On the Submission Home page, go to the 'Upload Tier2 '.zip', Tier2 '.t2s', or CAMEO '.zip' file' box and click on the Continue button.
- The Import Tier2 or CAMEO Data Files page will appear. Click on Browse and choose the appropriate zip file on your computer that you want to upload.
- Click on the Upload button to load the selected zip file. The Importing Uploaded File screen will appear. Please wait while the uploaded file is processed. This process may take several minutes depending on the size of the uploaded file.
- Once the process is completed, the File Successfully Uploaded screen will appear. You can verify the result and then scroll down to the bottom of the page and click on Continue to save.

How do I export data out of E-Plan into a .t2s file or .zipfile?

- Log into the E-Plan's Online Tier II Reporting System at <http://tier2.erplan.net> using your Access ID and password.
- On the Submission Home page, go to the 'Enter new Data/ Retrieve old Data' box and select the 'Select a year to file/retrieve Tier II data'. Click on Continue.
- The Filing Management page will appear. At the bottom of the Filing Management page, click on Validate Record. The Submission Validation Report for your submission will appear. Click either Export to Tier2 Zip File or Export to .t2s File to get either a zip file or a .t2s file. Before you click on Export, it is a good idea to click on Validate Record to see if your submission has any errors. If the report shows errors, correct them before you export to a .t2s or .zip file.

Note: that the E-Plan's Online Tier II Reporting System will not allow you to submit your Tier II data until the "Submission Validation Report" indicates all required fields are correct and the "Upload Data to E-Plan" has been pressed. Once your Tier II data is submitted, the system will send an email message to you stating your submittal was received. Attached with the email is a copy of the facility's Tier2 Online Submission Report (PDF format). You can forward the email message to your local and state agencies.

Once you click on "Export", a new page is displayed with check boxes beside each facility. Check the appropriate boxes for the facilities you want included in the file. Note that once you click on the "Create File" button, the system will ask you whether you want to Save the file or Open the file. Always choose the Save option and save it to your computer.

How do I make data available to emergency responders or how do I submit data to E-Plan?

Once the "Submission Validation Report" indicates all required fields are correct, please do the following steps to complete your submission to E-Plan.

- Log into the E-Plan's Online Tier II Reporting System at <http://tier2.erplan.net> using your Access ID and password.
- On the Submission Home page, go to the 'Enter new Data/ Retrieve old Data' box and select the 'Select a year to file/retrieve Tier II data'. Click on Continue.
- The Filing Management page will appear. At the bottom of the Filing page, click on Validate Record. The Submission Validation Report for your submission will appear.
- At the bottom of the Submission Validation Report page, click on Upload Data to E-Plan button. This should bring up a list of facilities for that particular year filed by you. Besides each facility, you will find a Check Box and at the right of the facility name you will see a Status indicating whether it has been filed or not. If a facility has not been filed, then select the check box and click on Update to submit your data to E-Plan.
- If you have properly submitted you data via E-plan, you will receive an e-mail from E-Plan confirming your data submission.

Note: All facilities that show the status as Filed are available to first responders.

If I represent industry and have to submit my Tier II information, do I need authorization from anyone to access the E-Plan system?

No, industry is *required* by SARA Title III to report materials above the threshold quantities within their facility under the Community-Right-to-Know Act, E-Plan is a means to that requirement.

- Industry has a number of filing format options including hardcopy Tier II form, CD, or the EPA Tier2 Submit program, as well as E-Plan.

If Tier 2 reports go first to the County LEPCs and then to the local fire departments how should that process work?

- If the county accepts one form of submission to all the recipients in the county, then the county/local fire departments need to have access to E-Plan via the internet.
- If a county LEPC chooses to provide the data from the E-Plan system to the fire departments, then a formal process (in writing) should be in effect to identify the route and frequency of providing that information.
- In both of the circumstance above, county LEPCs should provide some documentation (in writing) to industry that confirms that the county LEPC and fire department have received the submission via E-Plan and that the industry has satisfied the reporting requirements to the fire department and the LEPC.

If I am an industry representative and serve on the county LEPC, do I need a separate log in?

Yes, you will need two separate log-ins: one account as an authorized County User to view information and one account log-in representing that the industry that you're submitting on behalf of.

Do construction contractors need to report fuel via Tier 2?

No, as long as the fuel is stored on a job site and is considered to be "transient" storage. This would not apply to fuel storage at their shop or permanent location from where they conduct their business.

Do facilities in the City of New York have additional reporting requirements?

Yes, facilities in the City of New York must report to the Department of Environmental Protection (DEP) who also assesses fees. DEP has an online reporting requirement which is accessible from their web site at <http://www.nyc.gov/html/dep/html/businesses/tier2.shtml>

Laws/Regulations for References

State:

General Municipal Law 204(f): Fire services response plan requirements.

NYS Executive Law, Article 2B, Section 23: Requirements for a comprehensive emergency management plan, or CEMP.

Federal:

Federal Laws: 42USC §11001-11050, Emergency Planning & Community Right to Know

Superfund Amendments and Reauthorization Act (SARA) Title III (Public Law 99-499),
Emergency Planning and Community Right to Know (EPCRA)

Chemical Inventory Reporting regulations: 40CFR350 to 40CFR373

Hazardous Communications Standard: 29CFR1910.1200 defines hazardous chemicals that are required to have an MSDS on site.

Hazardous Waste Operations and Emergency Response (HAZWOPER) standard:
29CFR1910.120 defines levels of training and on-site response plan requirements for industry.

EHS or Non-EHS: EPA's Document the *List of Lists*