

EPCRA "How to Comply" Packet

What is the Kentucky Tier2 Reporting Fee Schedule?

Reporting Dates

Tier2 reporting is required each year between January 1st and March 1st. Submissions filed after the March 1st deadline will be classified as late and, per [KRS 39E.990](#), may be assessed a civil penalty and/or fined a minimum of \$250. Each day upon which the violation occurs shall be considered a separate violation and a separate civil penalty may be imposed.

Electronic Payment

Beginning January 1, 2014, all Kentucky facilities are required to file tier2 reports and pay all associated fees electronically in accordance with the KEREC's annually published EPCRA "How to Comply Packet." A processing fee will be charged automatically and included with the online payment submission.

Fees

Fees shall be payable in accordance with the schedule listed below except the same owner or owners of two or more facilities in a single county subject to paying a fee shall pay a fee not to exceed \$250 for all those facilities in that county.

Facility "Category" Definitions

Category One Facility - \$0

Any facility owned or operated by local, state, or federal government. Category One facilities are exempted from paying any fee in accordance with [KRS 39E.050](#). This exemption applies solely to fees and does not exempt any Category One Facility from reporting requirements.

Category Two Facility - \$40

Any facility that has 10,000 pounds, and not more than 499,999 pounds, of each of 10 or fewer hazardous substances at any time during the calendar year. The combined total of all hazardous substances shall not exceed 499,999 pounds.

Category Three Facility - \$250

Any facility that has 10,000 pounds or more of each of 11 or more hazardous substances. The combined total of all hazardous substances shall not exceed 499,999 pounds.

Category Four Facility - \$250

Any facility that has a total inventory of over 499,999 pounds of hazardous substances.

Category Five Facility - \$250

Any facility that has an Extremely Hazardous Substance (EHS) listed in [40 CFR Part 355](#) as amended (EPA's list of Extremely Hazardous Substances) in excess of the Threshold Planning Quantity (TPQ) or 500 pounds whichever is less.