



Commonwealth of Kentucky  
**KENTUCKY EMERGENCY RESPONSE COMMISSION**  
Boone Center  
Frankfort, Kentucky 40601-6168  
502-564-5223

To: Kentucky Retail Gas Stations

From: Jim Ishmael, Staff Designee for the Kentucky  
Emergency Response Commission

Subject: Annual Tier II Chemical Inventory Report

On February 11, 1999, the EPA issued a final rule raising thresholds that trigger Material Safety Data Sheets (MSDS), Section 311 reporting and annual chemical inventory reporting, Tier II, under Section 312 of the Emergency Planning and Community Right-to-Know Act of 1986, for gasoline and diesel fuel stored entirely underground at retail gas stations that comply with requirements for Underground Storage Tanks (UST).

The final rule promulgates new threshold levels of 75,000 gallons or 470,250 pounds for gasoline and 100,000 gallons or 730,000 pounds of diesel fuel.

It appears your facility is no longer subject to Section 311 and Section 312 reporting requirements and we are returning the Tier II and fee which you recently submitted.

We appreciate your support and compliance in the past.

