


Tier II Reporting Assessment

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Certification Statement

I hereby certify that this paper constitutes my own product, that where the language of others is set forth, quotation marks so indicate, and that appropriate credit is given where I have used the language, ideas, expressions, or writings of another.

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### Abstract

This descriptive applied research paper addresses the problem that the City of Lenexa Kansas Fire Department noticed a decrease of the number of tier II reports received from businesses from one year to the next. The purpose of this research paper was to determine why the number of tier II reports received were declining. Three research questions were established to help identify why the number of tier II reports received have declined. 1) What are the requirements for submitting Tier II reports to local jurisdictions? 2) What are other Kansas fire departments doing to ensure the requirements of submitting Tier II reports are met by businesses within their communities? 3) What are business owners understanding of submitting tier II reports? The descriptive research approach was conducted and completed by using a combination of a review of existing research and literature, a review of statistics from the Lenexa Fire Department occupancy database, and an interview with the Lenexa Fire Department Fire Marshal and surveys conducted with Kansas fire departments and Lenexa businesses. The results clearly found that the Lenexa Fire Department had many opportunities for improvement in the receiving and reviewing of tier II reports submitted to the Lenexa Fire Department. The recommendations made were specific to creating a policy on dealing with tier II reports, establishing a means to compare information received from one year to the next and provide a means for the information received to be disseminated to the Lenexa Fire department responding personnel.

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## Introduction

The Lenexa Kansas Fire Department located in the southeast portion of the Kansas City metropolitan area provides fire and life safety services to the City of Lenexa Kansas. The Lenexa Fire Department (LFD) organizational structure consists of three divisions; an Administrative Division, an Operations Division, and a Prevention Division. The three divisions consistently work together in order to meet the City of Lenexa's needs while ensuring the mission of the department is also met. With the mission statement; "The Lenexa Fire Department provides professional services for the protection of our community" ("LFD Strategic Plan," n.d., p. 15). It is important that the department addresses a noted concern within the community we serve.

The problem is the Lenexa Fire Department has noticed a decrease in the number of tier II reports received each year from businesses within the community. The purpose of this applied research paper is to determine why the number of tier II reports received are declining. A descriptive research method was used to identify three research questions. 1) What are the requirements for submitting tier II reports to local jurisdictions? 2) What are other Kansas fire departments doing to ensure the requirements of submitting tier II reports are met by businesses within their communities? 3) What are business owners understanding of submitting tier II reports? The descriptive research approach was completed with literature review and questionnaires.

## Background and Significance

The City of Lenexa Kansas Fire Department is staffed as an all career fire department and serves the City of Lenexa Kansas. Lenexa is a suburban community located in the southwest portion of the greater metropolitan Kansas City area located within Johnson County, Kansas. The LFD is certified as an accredited agency with the *Commission of Fire Accreditation*

*International* (CFAI) under the *Center for Public Safety Excellence* (CPSE) since 2002. The LFD earned an *Insurance Standards Office* (ISO) rating of one in June of 2014 ("LFD Strategic Plan," n.d.).

In 2015 the City of Lenexa had a population of just over 50,000 residents. The City of Lenexa also consists of 2,712 commercial businesses (*Community Data Profile*, 2014, p. 1-2). Of the commercial businesses the City of Lenexa has ninety six businesses that have been classified as Industrial or Hazardous based on the International Fire Code (IFC) occupancy classification (Firehouse Version 7.17.3, 2015).

Although the City of Lenexa business community is currently growing, over the last five years, the LFD has noted a decrease in the number of tier II reports received from businesses within the community. In 2014 when all of the tier II reports were placed in a file and put away in a filing cabinet next to the reports received over the last several years it was noted that the file was actually smaller than the previous year's file.

Reports received were documented in the LFD occupancy software database and then filed away in a filing cabinet. The file for 2014 was not as large as the previous year's file. After looking at the prior years, it was noted the number of tier II reports received had dwindled over time. In 2010 the LFD documented 49 tier II reports received from local businesses. The 2011 documented tier II reports total was 44. The 2012 trends of tier II reports received revealed 41 while 2013 dropped to 38. The 2014 tier II reports documented coming in continued to drop and a total of 35 were received (Firehouse Version 7.17.3, 2015).

The problem of dealing with tier II reports is a concern noted by several departments across the country. This topic has been documented with several research papers submitted by Executive Fire Officer Candidates over the years back to 1991. This topic focus shows a need

and sounds an alarm for research and resolve for the City of Lenexa and the fire service as a whole. Addressing the topic will provide a value by a potential reduction of future fire casualties, injuries, and potential property loss.

This topic meets goal one, two, and three of the five goals of the United States Fire Administration. Determining actions to ensure local fire departments receive tier II reports from within their community's falls in line with Goal one "Reduce risk at the local level through prevention and mitigation" Goal two "Improve local planning and preparedness" and Goal three "Improve fire and emergency services' capabilities for response to and recovery from all hazards" ("USFA," 2010, p. 13). The topic also aligns with the Executive Fire Officer (EFO) Executive Analysis of Fire Service Operations in Emergency Management (EAFSOEM) course. Areas which this topic and the EAFSOEM course share linkage are included in two units. Unit one involves Homeland Security Presidential Directive -8 National Preparedness by assessing community risks and unit two Community Hazards Emergency Response includes aspects of reinforcing local community all-hazard preparedness. Both of these units are covered in the research project for determining what steps are needed to ensure local fire departments are receiving all of the tier II reports from businesses within their communities.

#### Literature Review

The research conducted of the current literature focused on the overall problem of tier II reports not being received from businesses to local jurisdiction. Beginning the evaluation of a problem needs to start with determining what the problem is and where you want to end up (Keller & Papasan, 2012). A facility is required by law to properly maintain material safety data sheets (MSDS) of hazardous material used and stored at the facility. The Emergency Planning and Community Right-to-Know Act (EPCRA) placed into law in 1986 requires facilities to

report their hazardous material inventories of chemicals by March 1st of each year. The inventories reported are the inventories the facility had on hand from the previous year. There are threshold limits that are set and if those limits are met or exceeded then the facility is required by law to report their hazardous materials (Environmental Protection Agency website, n.d.).

The EPCRA was enacted as title III of the Superfund Amendments and Reauthorizations Act (SARA) (Bachman, 2013). Under the EPCRA a facility must submit hazardous material reports which are over the required threshold limits to their State Emergency Response Commission (SERC), the Local Emergency Planning Committee (LEPC), and the local fire department (Environmental Protection Agency website, n.d.). The State of Kansas requires all hazardous chemical substances which the Occupational Safety and Health Association (OSHA) requires MSDS sheets to be on hand based on the OSHA Hazardous Communication Standard 1910.1200 have to be reported by facilities. If a facility has more than 10,000 pounds of any hazardous chemical at their facility during a calendar year, the facility must report it on the tier II report. Any hazardous chemicals classified as extremely hazardous based on the 40 Code of Federal Regulations (CFR) Part 355 must also be reported on a tier II report. Reportable amounts for extremely hazardous substances are any product that exceeded 500 pounds in a calendar year (Kansas Commission on Emergency Planning & Response, n.d.).

The EPCRA impacts fire departments because facilities subject to reporting hazardous materials based on reporting criteria are required to submit site and chemical specific information to the local fire departments. Regardless of the practices a facility uses for submitting tier II reports, often times local fire departments do not receive the reports (Bachman, 2013).

A fire departments ability to plan for a disaster within the community is based on the management's commitment to ensure all hazards are reviewed and updated regularly. Understanding the factors of risk, probability and vulnerability are all part of the process of preparing for potential disasters. No matter what causes the disaster, information received beforehand can help reduce and prepare for the potential disasters within your community (Gustin, 2010). This includes the tier II reports received annually from facilities within your community. Lack of time and staffing are often key reasons fire departments are challenged with what can and does get done in an organization. Information gathering and recording can be time intensive for a fire department. Intelligence gathering on facilities within your communities are often not considered a high priority and often treated more as a chore than a benefit to the fire department. Firefighters typically see very little value reviewing documents received from businesses within their communities and often find excuses not to have to comply with such tasks. However, progressive managers will creatively develop good strategies to accomplish these tasks (Bachman, 2015).

The actions related with the preparation and response to incidents involving hazardous material is known as emergency management. One part of emergency management is the preparedness stage. The preparedness stage is the process of improving your department's ability to respond to an emergency through planning, training and understanding your facilities and what hazards the facilities pose (Lindsay, 2012). Goals one, two, and three of USFA Strategic Plan focus in part on the preparedness phase.

Firefighters should understand and be able to identify hazardous commodities within their communities. Understanding hazardous commodities should heighten interests in learning the dangers of the materials. The information collected from businesses like tier II reports should

not just be written down or entered into a database and stored away, it should be reviewed, analyzed and compared to past submittals for changes. This information should be available to everyone pre-incident for preparedness and during an incident to improve the safety of the firefighters and public. These are items that you cannot afford to not know about (Bachman, 2015).

Firefighters who are untrained, unequipped, and unprepared are placing themselves in harm's way at emergency incidents. Incident commanders and firefighters must understand the dangers within their communities. You cannot improvise on tactics at a potentially deadly hazardous material scene. If you are unaware of the reported hazardous materials you may end up improvising because you did not have all the facts (Dunn, 2014).

The more firefighters know about the response areas, they will be more effective when an emergency happens. Understanding what chemicals are in buildings will provide the responding companies intimate knowledge of hazards and challenges they may be forced to face (Anderson, 2012).

A fire department that does not receive a tier II report from a business may be unaware of the products present within their responding area. Good records need to be maintained and compared from year to year when the tier II reports arrive. Understanding the capabilities and limitations of the information on tier II reports provide provisional yet very valuable information to a fire department. These reports need to be studied and used as a supplement to other fire department preparedness efforts. Often times tier II reports are filed, discarded, or just ignored without any type of a review by fire department officials. Fire departments must take advantage of the reports received by becoming familiar with the products in their communities and the hazards they present (Bachman, 2013).

Fire departments that are not evaluating the potential hazards within their community could end up contributing to a future on the job injury or even worse a line of duty death. Departments need to commit to making improvements to process and techniques of reviewing potential hazards which include information received on tier II reports (Coleman, 2011). Author Ronny Coleman goes on to say in his article *Take a page from Patton and read the book* while visiting with fire department officials in their stations, he noticed that informational gathering on facilities was considered time consuming and was often deferred until a later time and never completed.

By understanding hazardous materials within our communities, we can often times accurately survey a building or structure to allow for better tactical decision making. Paramount to assessing risk, routine company level training on hazardous material within the response area is an essential practice to be engaged in (Barker, 2015, p. 24).

The ultimate goal of fire departments across the country is to minimize the loss of life and property damage within the community they serve (Ammons, 2012). Business owners and their staff within a community often times need to be informed on fire and life safety requirements for their business. Some businesses are not always familiar with the codes and laws that govern the business they take part in. Today the fire service is challenged to ensure the businesses are following the rules (Tobia, 2013).

It is crucial for a business to maintain accurate and current records for their business. This includes hazardous material they have and store on their properties. As a private sector business it is important that the information be shared with the public sector fire departments. By being transparent with this information, it allows the local fire departments to be better prepared for an emergency incident at the facility (Cortez, 2010). The 1986 EPCRA legislation

impacts all facilities subjected to the annual reporting criteria. The State of Kansas Department of Health and Environment Right to Know Section as a result of the federal law is the authority on the matter for Kansas. Failure of an owner or operator of a facility to follow the EPCRA could result in a civil penalty of up to \$25,000 fine for each day of the violation (Kansas Commission on Emergency Planning & Response, n.d.)

A facility that used, produced or stored hazardous chemical substances or extremely hazardous chemical substances (EHS) is required to complete a tier II reports if they meet or exceed the reportable quantities. A facilities reporting duties and responsibilities are to determine if they meet the reporting criteria for the chemicals they had on hand the prior year, submit a tier II inventory form for the products that meet the criteria no later than March 1<sup>st</sup> and file a tier II report with the SERC, LEPC and local fire department (Bachman, 2013, p. 83).

Often times it is easy to become complacent in what we do. If there is no thought or effort put into filing the tier II report and just doing what was done before, the information may not provide the local fire department the information needed to properly protect your facility (Barker, 2015, p. 24). Most facilities understand that prevention is the best measure and they have the knowledge and experience on staff to be experts in their business. As fire departments we need to help them understand preplanning is often times crucial to the successful resolve of an incident and information from a tier II report plays a big part (Frank, 2013, p. 26).

Often time's facilities fail to submit the tier II reports to the local jurisdiction. They submit them to the state and county levels and just assume this information will be passed down to the local level from the county or the state. Another reason the information does not get to the local fire department is because it gets submitted to the wrong fire department because the facility may not know what jurisdiction they are in. This happens often because the facility

generates the report via the corporate office or from a hired consultant who are not familiar with the area and jurisdictional boundaries. Just because a tier II report is not received by the fire department does mean the facility has no hazardous chemicals on site (Bachman, 2013, p. 84).

In summary the literature review noted reporting concerns from businesses to local fire departments including tier II reports being sent to the wrong fire department by author Bachman and fire departments lack of procedures for dealing with tier II reports when they are received. Author's Gustin, Dunn and Anderson stress an awareness factor that fire departments need to know what's in their communities. Author's Tobia and Frank revealed more of an educational relationship from the fire departments to the facilities for the reporting requirements.

#### Procedures

The idea of the problem for this research paper was developed as a result of a noticed drop in the number of tier II reports received in 2014. The LFD received tier II reports each year from businesses within the community and the reports were simply noted and placed in a file. In 2014 it was noted that the file had actually become smaller then years past when the file was finally placed into a file cabinet. A decline in the number of tier II reports received each year as noted in the Background and Significance section earlier in the paper provided reason to conduct the research. This problem was then redefined as a problem statement and research questions used in this research paper. A descriptive research methodology was used to obtain the information for the Applied Research Paper (ARP).

With the problem being the Lenexa Fire Department has seen a decrease in the number of tier II reports received each year, the purpose of this ARP was to determine why the number of tier II reports received are declining. Considerations were given to the current Kansas laws on the requirements for tier II reporting, what other Fire Departments within the state of Kansas are

doing to ensure reports are received, and the owners and managers of properties within the City of Lenexa understanding of the tier II requirements on submittals.

Obtaining resources for the ARP was the first step in starting this paper. This started at the National Fire Academy (NFA) EAFSOEM class in August of 2015. Several resources for the ARP were acquired from the NFA's on-campus Learning Resource Center (LRC). In order to establish a better understanding of the requirements for submitting tier II reports, trade journals, periodicals, books, and other ARP's written by EFO scholars were studied. After returning from the NFA, additional books were reviewed and checked out for additional research from the Johnson County Kansas Library system. The LFD occupancy database systems and other online resources were also used to obtain data used in this ARP.

After all the resources were collected and reviewed, the next step was to create two surveys. One for the Kansas fire departments and the other for the Lenexa Kansas businesses. The information collected was needed for the ARP. The tool used to acquire the information for the surveys was an online website [www.surveymonkey.com](http://www.surveymonkey.com)<sup>1</sup>. The first survey created was used for the Kansas fire departments. This process started by receiving a spreadsheet containing contact information for 83 Kansas fire departments. The spreadsheet was obtained from the Kansas State Fire Marshal's Office (KSFMO) by email. Because Lenexa is in the State of Kansas, this researcher decided for this ARP to obtain the information needed only from departments within the State of Kansas. By only using Kansas departments, this surveyor felt it would allow for consistent information obtained due to the information all coming from the same geographical area with each department falling under the same state regulations. See appendix A for a list of the 83 Kansas departments used for surveys. The surveys were sent out by email

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<sup>1</sup> SurveyMonkey is a website based survey development company founded in 1999

using SurveyMonkey. The initial survey request to the Kansas fire departments was sent out on January 4, 2016. On January 11, 2016 a follow up email was sent to the Kansas fire departments that had not yet completed the survey. On January 15, 2016 the survey was closed to all the fire department recipients. Of the 83 Kansas fire departments who were originally emailed the surveys, there were a total of 36 Kansas departments who completed the surveys. (43.3%) The Kansas fire department surveys consisted of nine survey questions. The questions were geared towards actions taken by fire departments when tier II reports were received by their organization. The questions distributed to the Kansas fire departments can be seen in Appendix B.

The second survey created was for the Lenexa businesses within the City of Lenexa. The businesses selected to receive the survey were Lenexa businesses that the fire department had received tier II reports from in the past and businesses that were classified in the fire department occupancy database as a factory or industrial business or a high hazard type business per the International Fire Code (IFC) occupancy classification. A spreadsheet was created using the LFD database to establish the contact information of each of the 96 Lenexa businesses to receive the survey. See appendix C for a list of the Lenexa businesses surveyed. By law the LFD is only required to receive tier II reports from Lenexa businesses, only Lenexa businesses were used for the surveys. The surveys were sent out by email using SurveyMonkey to the Lenexa businesses January 4, 2016. On January 11, 2016 a reminder email was sent to the businesses who had not yet completed the survey. The survey was closed to all the businesses on January 15, 2016. Of the 96 businesses that were sent surveys 30 businesses completed the surveys. (31.2%) The Lenexa business survey consisted of a total of six survey questions. The questions were geared

towards tier II reporting relating to the processes and current practices of dealing with submitting tier II reports. The questions distributed to the Lenexa businesses can be seen in Appendix D.

Question one of the ARP was on the state and local requirements on tier II reports. In order to obtain local requirement information, an interview with the Prevention Division Chief Officer (Fire Marshall) was conducted in his office on December 4, 2015. The Lenexa Fire Marshal was chosen to be interviewed because tier II reports, submitted to the LFD the Fire Marshall (FM) reviews the reports and supervises the activities involving tier II reports. The interview conducted lasted approximately 30 minutes and the majority of the time was spent on the FM explaining the current organizational focus with the tier II reports received by the fire department.

#### Limitations

The Kansas fire departments receiving surveys consisted of an email list obtained from the KSFMO database. Prior to sending the survey out from the list provided of the Kansas fire departments, the list was reviewed to ensure no departments were duplicated on the listed. By doing this it ensured only one survey would be completed by each Kansas department. It is not known if the KSFMO list provided was a comprehensive list of all Kansas fire departments. For this survey it was assumed that the contact names on the list were fire department personnel that had first-hand knowledge of their departments tier II reporting procedures for their community.

The original list of Lenexa businesses to receive the survey was compiled from the LFD occupancy database and businesses that have in the past submitted tier II reports. The list obtained from the database was obtained by searching for occupancies that were classified as a factory or industrial business or a high hazard type business per the International Fire Code (IFC) occupancy classification. It was assumed for the survey the database occupancy classifications

were entered correctly for the selected businesses. The email addresses obtained for the businesses from the database were believed to be current as of the last annual inspection for the occupancy when it was completed in 2015. It was assumed for this survey all of the email addresses were still accurate for the businesses used for the survey. Also assumed for this survey was the person who received the survey email request was familiar with tier II reporting requirements for their business.

Also considered was the factor of a company spam filter set up by email service providers which may have blocked some of the emails from being delivered. When sending out a number of emails in one setting this could have resulted in spam filters blocking the survey email from being delivered to the recipient. It is unknown if any of the emails sent were actually blocked by a spam filter.

None of the surveys emailed to the survey participants were returned or rejected as undeliverable. It was presumed all the surveys emailed to both the Kansas fire departments and Lenexa business owners were proper emails and also received by the recipient.

### Results

Research question one asks what are the requirements for submitting tier II reports to local jurisdictions? During the interview conducted with the Lenexa Fire Marshal Marty Quick on December 4, 2015, he reported “the City of Lenexa Fire Department does not have additional local ordinance requirements for tier II reporting” (M. Quick, personal communication, December 4, 2015). Fire Marshal Quick proceeded to say with the legislation created by EPCRA in 1986 as a result of Title III of SARA local businesses are required by federal law to submit tier II reports to local jurisdiction annually. He also stated with this being a federal requirement any additional local requirements would be a duplication of efforts. “A business is

more likely to follow the requirements of a federal law over any local rules” (M. Quick, personal communication, December 4, 2015).

When asked the question what is the process for documenting a tier II report when it was received from a local business, Fire Marshal Quick reported up until a few years ago the information was received and filed away in a cabinet with the all the other inspection documents for the facility. He advised that in 2011 he made a change to the program to have all tier II reports received documented in the fire departments electronic record database as being received. He also reported with the current prevention division staff and their workloads that was about all they had time to do with them. Fire Marshal Quick also reported there is not specific fire department policy on how tier II reports are processed and how the information is disseminated to the operations personnel.

Fire Marshal Quick stated over the last few years as Fire Marshal, construction in the City of Lenexa has increased dramatically. He advised he was reviewing permits for more building construction projects that were taking place in the city’s industrial business parks. He also reported with the expansion of several laboratory facilities and a few new laboratory facilities within the city, he reviewed numerous exterior storage tank permits that were being constructed to contained hazardous materials for the laboratories processes. Fire Marshal Quick also noted the addition of three new fuel dispensing stations in the City of Lenexa that he approved. Fire Marshal Quick advised in 2014 he was informed the file of tier II reports received for 2014 were less than those received from prior years. Fire Marshal Quick reported he started asking the question about the number of tier II reports received for statistical purposes. Fire Marshal Quick stated the number of tier II reports received, which he expected to increase

with all the construction and expansion was actually a slight decrease over the last few years (M. Quick, personal communication, December 4, 2015).

Research question two asked, what are other Kansas Fire Departments doing to ensure the requirements of submitting tier II reports are being met by the businesses within their community? In E. G. Bachman's writings in *The New Tier II: An Expanding Preplanning Tool* he notes if a tier II report does not get to a local fire department, then the department may be unaware of hazardous materials associated with the facility. The Kansas fire department survey revealed in question one, of the 36 fire departments surveyed, 97.2 % of the respondents reported they do receive tier II reports from local businesses. This left the remaining 2.8 % reporting they do not receive tier II reports from their communities businesses.

Table 1

Kansas Fire Department Survey Question #1		YES	NO
i.	Does your Fire Department receive tier II reports from businesses within your community for hazardous material products the business uses or stores at their facility that meet the threshold limits for submittal?	97.2%	2.7%
		35	1

Question two of the Kansas fire department survey precisely asked if the department has a policy for dealing with the tier II reports they received. The results revealed 69.4% of the 36 respondents reported they did have a policy in place while 30.6% of the respondents reported they did not have a tier II policy in place.

Table 2

Kansas Fire Department Survey Question #2		YES	NO
i.	Does your department have a policy for dealing with tier II reports received?	69.4%	30.6%
		25	11

The third question of the Kansas fire department survey asked if the department had a protocol in place to ensure tier II reports were received by the deadline date. Of the 36

department that completed the survey a total of 32 of the 36 reported they do not have a policy in place for dealing with tier II reports.

Table 3

Kansas Fire Department Survey Question #3		YES	NO
i.	Has your department established any type of protocol to ensure tier II reports are received from businesses throughout your community by the March 1 <sup>st</sup> deadline?	11.1%	89.9%
		4	32

Question four of the Kansas fire department survey asked if the department compared the information received each year on the tier II reports to report received in prior years. Again 26 departments who completed the survey question reported they did compare the reports received each year against prior year reports. While 27.8% of responding departments, 10 of the 36 reported they did not review the reports to compare the information received from one year to the next.

Table 4

Kansas Fire Department Survey Question #4		YES	NO
i.	Does your department compare the information received from tier II reports from year to year?	27.8%	72.2%
		10	26

The Kansas fire department survey question number five was directed to the use of the information on the reports for preplanning. A total of 23 departments who responded reported they did use the information received from the tier II reports for preplanning purposes. A total of 36.1% of the 36 total responding departments reported by answering no to the question about using the information from the tier II reports for preplanning purposes.

Table 5

Kansas Fire Department Survey Question #5		YES	NO
i.	When a tier II report is received, does your department use the information for any preplanning purposes?	63.9%	36.1%
		23	13

Question six of the Kansas fire department survey asked if the information received from the business tier II reports was available to the crews when they are responding to the business. Of the 36 responding fire departments, only 47.2% reported the information was available to the crews while responding to the business. A total of 52.8% of the departments reported the crew do not have access to this information while responding to the business.

Table 6

Kansas Fire Department Survey Question #6		YES	NO
i.	Is the information received from a business tier II report available when crews respond to the business?	47.2%	52.8
		17	19

Kansas fire department survey question seven was about whether or not the fire department felt confident about the businesses within their community required by law to submit a tier II report were actually doing so. The departments were given three options to choose from on this question yes, no and not sure. All three answers received similar responses. There were 12 yes responses, 11 no responses, and 13 not sure responses.

Table 7

Kansas Fire Department Survey Question #7		YES	NO	NOT SURE
i.	Do you feel confident all the businesses within your community that are required by law to submit a tier II report are doing so?	33.3%	30.6%	36.1%
		12	11	13

Question number eight for the Kansas fire department survey asked if the department feels the businesses within the community understand the rules that require them to submit a tier II report. On this question there was the possibility of the same three answers noted in question seven. The results reveal a total of 16 departments felt the businesses failed to submit a tier II report because the business did not understand the rules that require them to submit the reports. There were seven departments that responded no to the question which means they do feel the

businesses understand the rules that apply to filing a report, while the other 13 departments responded with the not sure answer.

Table 8

Kansas Fire Department Survey Question #8		YES	NO	NOT SURE
i.	Do you feel businesses within your community fail to submit tier II reports because they do not understand the rules that require them to submit the reports?	44.4%	19.4%	36.2%
		16	7	13

The final question for the Kansas fire department survey involved the fire departments resources to properly deal with the tier II reports. The question asked about the current resources available to deal with the received reports and the information on them. The vast majority of the responding departments 22 in total, reported they do not have the resources needed to properly deal with the reports. While 14 responding departments felt they did have the proper resources available.

Table 9

Kansas Fire Department Survey Question #9		YES	NO
i.	Does your Department currently have the resources to properly deal with the tier II reports received and the information on them?	38.9%	61.1%
		14	22

The amount of time and effort placed by a fire department in planning appropriately to deal with businesses in the jurisdiction and the issues that can arise from the business is at the discretion of those in charge of that department (Coleman, 2011, p. 88).

Research question number three asked what is the business owners understanding of submitting tier II reports. As M. Tobia noted in his article *What it's Worth: Company officers are also loss-prevention officers* business owners are often not familiar with codes and requirements involving fire and life safety. "Most business facilities have the knowledge and

experiences to manage their facilities” they can also be a key part in aiding the local fire departments (Frank, 2013, p. 26)

In order to find out what the Lenexa businesses understanding of the tier II reporting requirements were, a survey was sent out to 96 Lenexa businesses as noted in the procedures. This survey consisted of six questions for the businesses to answer. Of the 96 surveys sent out 30 businesses responded to the survey. The first business survey question asked the survey participant if they were familiar with the SARA Title III and the requirements for submitting tier II reports. Of the 30 business that responded to this question, 23 of them reported that they were familiar with the tier II reporting requirements and the other seven who completed the survey advised they were not familiar with tier II reporting requirements.

Table 10

Lenexa Business Survey Question #1		YES	NO
i.	Are you familiar with the SARA Title III law and the requirements for submitting tier II reports?	76.7%	23.3%
		23	7

Question two for the Lenexa business survey asked about the survey participant’s level of understanding of the tier II reporting requirements. The individuals that completed the survey had four options to choose from. Option one was that the survey taker was completely familiar with the requirements for tier II reports and a total of seven businesses responded to this option. Option two noted the survey participant had a fair understanding of the requirements of tier II reporting. A total of 12 participants responded with option two. Option three was the survey taker had very little understanding of the requirements for tier II reporting, seven selected this choice. The final option was that the survey participant had no understanding of the requirements for tier II reporting and four participants chose this option. Overall option two was this most popular answer with 40.0% of the total number choosing this option.

Table 11

<b>Lenexa Business Survey Question #2</b>		
<b>What is your level of understanding of the tier II reporting requirements?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response count</b>
Completely understand the requirements for tier II reporting.	23.3%	7
Have a fair understand the requirements for tier II reporting.	40.0%	12
Have very little understand the requirements for tier II reporting.	23.3%	7
Have no understand the requirements for tier II reporting.	13.4%	4

Lenexa business survey question number three was about having a dedicated resource to handle all the tier II reporting requirements for the business. The question was answered by 30 businesses. Of the 30 businesses that responded, six advised they did not have a dedicated resource to hand all the tier II reporting requirements. A total of 20 advised they did have a dedicated resource to handle the tier II reporting requirements, while one of the participating business reported they were not sure if they have a dedicated resource to complete tier II reports. Finally, the remaining three selected the option that advises they have levels below the reportable thresholds and are not required to submit tier II reports.

Table 12

<b>Lenexa Business Survey Question #3</b>		
<b>Does your fire department have a dedicated resource to handle the tier II reports that are sent to the local fire departments?</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response count</b>
Yes	66.7%	20
No	20.0%	6
Not Sure	3.3%	1
We are not required to submit tier II reports because we maintain levels below the reportable thresholds.	10.0%	3

The fourth question presented to the Lenexa businesses in the survey asked if the business had a dedicated resource to handle the tier II submittals and what type of resource was it. The business survey participants had four options to choose from. Of the 20 participants in

this question seven answer the first option, the tier II report was completed by an on-site resource. A total of eight of the business participants selected the option of the reports were completed by a corporate office located in another geographical area. Five of the participants reported they hire a third party to complete the reports and none of the survey takers selected the reports were completed by another source not listing in the survey.

Table 13

<b>Lenexa Business Survey Question #4</b>		
<b>If you have a dedicated resource for completing tier II report process it is:</b>		
<b>Answer Options</b>	<b>Response Percent</b>	<b>Response count</b>
Completed by an on-site resource	35.0%	7
Completed by a corporate office located in another geographical location.	40.0%	8
Completed by a hired third party.	25.0%	5
Completed by another source not listed.	0.0%	0

The next question in the Lenexa business survey asked the business survey participant if their business tries to reduce the amount of reportable hazardous materials to stay below the tier II reportable amounts. Of the 30 business that completed question number five, 12 of the businesses reported they do reduce their amount of hazardous material on hand to stay below the reportable amounts. The remaining 18 survey participants for this question reported no to the answer indicating they do not reduce amounts on hand to keep from having to submit a tier II report.

Table 14

<b>Lenexa Business Survey Question #5</b>		<b>YES</b>	<b>NO</b>
i.	Does your business try to reduce the amount of reportable hazardous material to stay below the tier II reportable amounts?	40.0%	60.0%
		12	18

The final business question asked if the respondent thought it could be possible the tier II report may have or could have possibly been sent to the wrong fire department. Of the 30 businesses that completed the survey a total of six responding survey takers felt that it may have or could have been sent the information to the wrong local fire department. This left the final 24 survey takers responding they did not feel the reports were sent to the wrong local fire departments.

Table 15

Lenexa Business Survey Question #6		YES	NO
i.	Do you think it is possible that your business tier II report may have or could have been sent to the wrong fire department?	20.0%	80.0%
		6	24

#### Discussion

Fire departments across the county work hard to protect their communities from all hazards within their community. “The ultimate aim of all fire departments is to minimize the loss of life and property in the community” (Ammons, 2012, p. 126). When a fire department determines they may have a potential matter that needs addressed, they need to evaluate not only what the problem is, but also where it is they want to end up with the resolution of the problem (Keller & Papan, 2012). During the interview with the LFD Fire Marshal, Chief Quick noted the LFD had noticed a drop in the number of tier II reports received each year. He also noted with the increase in construction activity and construction plan reviews he has conducted, the expectation would be an increase in the number of tier II reports received. This was based on the fact he reported three new fuel dispensing stations and numerous facilities in an industrial business park who all had permits for exterior storage of hazardous materials (M. Quick, personal communication, December 4, 2015).

In order to determine what the requirements for submitting tier II reports to local fire departments are, research conducted revealed in 1986 federal requirements enacted into law by EPCRA created SARA which resulted in the tier II reporting requirements for local businesses to local jurisdiction (Bachman, 2013, p. 86). Eric Bachman explains in his article *The New Tier II: An Expanded Preplanning Tool* the requirements from EPCRA were created to help heighten awareness of hazardous materials within jurisdictional boundaries. The Environmental Protection Agency (EPA) website also noted the EPCRA requirements for reporting hazardous material to local jurisdictions by March 1 for the inventories held or used at the facility the year prior.

The Kansas Commission on Emergency Planning & Response document on Kansas tier II reporting notes the EPCRA placed into law in 1986 as the established law to allow the State of Kansas to require businesses to complete and file a tier II report to SERC, LEPC and the local fire departments. Also noted in the document are the threshold requirements for reporting not only hazardous chemical over 10,000 pound quantities but also any chemical classified as extremely hazardous per CFR Part 355 with quantities that exceed 500 pounds (Kansas Commission on Emergency Planning & Response, n.d.). The EPCRA, the EPA and the Kansas Commission on Emergency Planning and Response all note the March 1<sup>st</sup> deadline for reporting the tier II reports for the prior year's maximum amounts.

“Owners who violate tier II reporting requirements shall be held liable to the United States for a civil penalty of up to \$25,000 per day for each violation” (Kansas Commission on Emergency Planning & Response, n.d., p. 1). During the interview with Fire Marshal Quick, he reported the City of Lenexa did not have any additional city ordinances on tier II reporting. The federal requirements were restrictive enough for the departments needs and any additional

requirements would be a duplication of efforts. He went on to convey the federal requirements would have better enforcement potential than a local ordinance.

With the EPCRA requirements for reporting hazardous materials to local fire departments there is an impact on the fire departments by requiring fire departments to act on the information received. Not all departments have the staffing to properly deal with the information received (Bachman, 2013). Fire Marshal Quick noted during the interview the current prevention staff was able to get the information logged into the fire department occupancy database and filed away in file cabinets, but that was all they had time to do with tier II reports based on workload demands.

In order to determine what other Kansas fire departments were doing to ensure the requirements for tier II reports were being met by the businesses in their community a review of the Kansas fire department survey was finalized. Of the 36 Kansas fire department responses to the survey on question one 98.2% of the departments reported they did receive tier II reports from local businesses. Fire departments utilizing tier II reports are given more opportunities and ability to plan and respond to a disaster in their community, when all hazards are reviewed and updated regularly. By understanding the risk factors involved with a facility, departments can better prepare potential emergencies (Gustin, 2010). Because all but one department reported they receive tier II reports, the information is available to the vast majority of departments but are they using the information obtained? As Eric Bachman reported in his article *Use Open Sources of Intelligence as a Preplanning Aid* limited staffing and time are often key factors in why departments do not properly prepare themselves for situations in their communities (2015). This was also noted when interviewing Fire Marshal Quick when he reported his prevention staff

is able to log and file the tier II reports but time constraints and other job demands keep them from doing more (M. Quick, personal communication, December 4, 2015).

Intelligence gathering from facilities within your community are not often considered a high priority and can be treated more as a chore rather than a duty beneficial to the department. These tasks need to have the support of progressive management who creates plans to ensure completion of the tasks. A written policy could be the plan needed (Bachman, 2015). The Kansas fire department survey revealed in question two, 69.5% of the departments completing the survey reported they had a policy in place to ensure tier II reports received were properly documented. As Ronny Coleman noted in his *Take a Page from Patton and Read the Book* article, departments need to commit to improving processes within their department to ensure the safety of the responding crews. The eleven (30.5%) departments that have no policy for dealing with tier II reports need to take the advice of Coleman and read the book.

Kansas departments were asked in the survey about established protocol to ensure tier II reports are received from businesses by the March 1 deadline reported, 88.9% of the departments had not established protocol to ensure tier II reports were received. A total of 89% of the departments surveyed potentially had no way to confirm all tier II reports were received. When there are no checks and balances in place, the ability to maintain accurate and current data for use and review is difficult at best (Cortez, 2010). Although 69.5% of the departments answered in question two, the department had a policy for dealing with tier II reports, based on the answers in question three of the Kansas fire department surveys, the policies did not include protocol to ensure reports were received by the March 1 deadline. As noted by Bachman the information needs to be reviewed, analyzed and compared to past submittals to ensure the information is received from year to year (Bachman, 2013).

By reviewing and analyzing the information each year, this will aid in the assurance the information is received with some sense of oversight. The information should not just be written down, entered into a database and stored away to never be seen again. Good record keeping can be of high value to a fire department if properly utilized and maintained from year to year. By understanding the information on a tier II report, departments have the ability to get a better understanding of the facilities in their response areas (Bachman, 2013). According to the Kansas fire department survey question four, a total of 72% of the responding departments do not compare the information received from tier II reports from year to year. Based on the interview with Fire Marshal Quick, LFD had not been comparing the information and as a result did not notice the drop in the number of tier II reports received each year for several years. Kansas fire department questions three and four show similar trends of fire departments not reviewing the information received.

Surprisingly 64% of the Kansas fire departments reported they use the information received from tier II reports for the purpose of preplanning. Both authors J. F. Gustin and Eric Bachman note in their writings the importance of information gathering from all information sources available to fire departments. By reviewing all hazards and updating them regularly a fire department has the ability to properly plan for a disaster increases. Fire departments often times see little value in reviewing documents received from businesses. According to the survey 36% of the Kansas fire departments feel this way and don't use this tier II information for pre-planning purposes.

A fire department not reviewing potential hazards in their community may end up contributing to future job injuries or even worse end up with a line of duty death (Coleman, 2011). Question six on the Kansas fire department survey posed the question to see if the

information received on a tier II report is available to crews while they respond to a facility who submitted a tier II report. With 53% of the departments reporting the information is not available to the responding personnel, the numbers were fairly close with the 47% who reported the responding companies do have access to the information. Fire fighters should be able to identify hazardous locations in their communities. Part of emergency management is the preparedness stage. This stage includes the process of planning and training for proper response to hazards within your community. By understanding hazardous commodities in facilities, firefighters will better understand the potential dangers and how to react to hazards the facilities pose (Lindsay, 2012).

A fire department may be unaware of potential hazardous material within facilities in the departments responding area if the business does not send the tier II report to the local fire department (Bachman, 2013). Based on question six of the Lenexa business survey, 20% of the businesses that completed the survey reported there was a chance the tier II reports may have been sent to the wrong jurisdiction. The Kansas fire department question seven which asked if the fire department felt comfortable that all businesses within the community that were required to submit tier II reports were actually doing so. There were 31% of the responding departments felt that businesses within their jurisdiction that were required to submit reports were not doing so. A total of 33% of the fire departments felt they were getting the proper tier II reports while 36% reported they were not sure if they were actually receiving all the tier II reports from their local businesses. When a business submits a tier II report they are proactively being transparent with what hazardous materials that are being stored and used at the facility. A company that does not submit a tier II report can often make it difficult for a fire department to properly deal with an emergency incident at the facility (Cortez, 2010). According to the Cortez writing and

the survey results of both the Kansas fire departments and the Lenexa Kansas businesses, they all feel information may not be properly received.

Business owners are often times unfamiliar with the rules and regulations required by law for them to follow. Today it is a challenge for local fire departments to ensure local businesses are following the rules established to protect the business but also to protect the local fire department personnel. Fire departments need to take a pro-active approach in making sure local businesses are aware of the fire and life safety requirements (Tobia, 2013). With 44.4% of the Kansas fire departments surveyed reporting they felt businesses within their community do not submit a tier II report because they don't understand the rules that require them to have to submit the report, this falls in line with the writing of M. Tobia in his article *What it's Worth: Company Officers are Also Loss-Prevention Officers*. Firefighters need to know more about the facilities in their communities. By obtaining the information from tier II reports, firefighters will have intimate knowledge of potential chemical hazards and the challenges they may encounter while at an emergency situation at the facilities (Anderson, 2012). With the main goal of a fire department being to reduce risk to minimize loss of life and property it is important for fire departments to get out into and involved with their business community (Ammons, 2012).

A fire departments biggest reason for not being able to do all the duties required as a fire department is due to lack of time and staff. This was noted by authors Bachman and Coleman in both of their writings. This was also noted in the Kansas fire department survey question nine. 61% of the responding departments reported they do not have the resources to deal with the tier II reports and the information on them. Lenexa Fire Marshal Quick stressed the same position in his interview. Although based on the survey and the literature review, this gathering and properly dealing with the tier II information can be a challenge but departments need to continue to make

commitments to improve processes that will benefit the fire department and management needs to establish strategies to get this done (Coleman, 2011).

Business owners and fire departments have to work together in order to establish the best potential outcome for the safety of the community. Fire departments need to establish working relationships with businesses and businesses need to be open about the type of business they conduct. By working together and sharing the responsibility long term success can happen (Tobia, 2013, p. 72). Most businesses understand that prevention methods are a way to ensure they are looking out for the safety of their business and their employees. Submitting tier II reports is a way to help the local fire departments better protect their business. The information received can be an asset to a fire department in the resolution of any incidents at the business (Frank, 2013, p. 27).

The Lenexa business survey question one asked local businesses if they were familiar with the SARA Title II law and the requirements for tier II reporting. Of the Lenexa businesses completing the survey, 76% of the respondents reported they were familiar with the reporting requirements. Of the 76% that were familiar with the reporting 23% reported they were very familiar and 40% reported they had a fair understanding of the reporting requirements. This left 23% that either had very little understanding and 13% that had no understanding of tier II reporting requirements. As noted earlier it is important for fire departments to help businesses understand the requirements a business has to meet for all the fire and life safety rules and regulations (Tobia, 2013). According to Fire Marshal Quick, Lenexa does not have additional requirements for tier II reporting the requirements established with EPCRA cover the needs of the LFD. Fire departments need to help make sure businesses are following the local, state and federal rules.

With 1986 EPCRA legislation facilities within the state of Kansas are required to submit tier II reports when reportable quantities of specific hazardous material thresholds are met. Fines established for companies that do not submit a tier II report can result in penalties up to \$25,000 a day for each violation (Kansas Commission on Emergency Planning & Response, n.d.). With established fines that high, it is important that a business understands the requirements of submitting tier II reports. Accurate record keeping by a business is crucial for the success of a business. This also applies to fire departments as noted in questions five and six of the Kansas fire department survey. It is important that businesses in the private sector share the information they have with the public sector fire departments. The dissemination of tier II reports to local fire departments allow for fire departments to better prepare for emergency incidents within their communities (Cortez, 2010).

Not only is it important facilities that store or use hazardous chemicals of extremely hazardous chemical complete tier II reports, it is also important that facilities have responsible people to ensure the information gets sent to the SERC, LEPC and local fire departments no later than March 1 of each year (Bachman, 2013, p. 83). Lenexa business survey question three falls in line with Bachman's writings of having a dedicated resource to complete tier II reports. Of the 30 responding businesses, 20 of them reported they do have a dedicated resource to complete and submit the forms. Of the 20 who have a dedicated resource, 15 have resources in house or completed from a corporate office elsewhere. Five have the information submitted by a hired third party who does the work for them.

According to Eric Bachman's writing there are times when a facility fails to get the tier II information submitted to the local fire department. In his article *The New Tier II: An Expanding Preplanning Tool* when a tier II report is submitted to the SERC and the LEPC, the facility

assumes the local fire department will obtain the information from the SERC or the LEPC. The other reason tier II reports do not make it to the local fire department is because the submitting party is either not from the jurisdiction or familiar with the jurisdictional boundaries and the reports get sent to the wrong local jurisdiction. This falls in line with question six of the Lenexa business survey who reported 20% of the participants felt that it was possible that a survey completed may have been or could be accidentally sent to the wrong jurisdiction.

Most facilities have knowledgeable and experienced staff on site and they are familiar with the reporting requirements and are considered the expert for the facility. These experts often reduce the amount of reportable chemicals at a facility in order to get under the reportable quantities (Frank, 2013). This allows them to avoid having to report the products they have on site. Based on the Lenexa business survey results, 40% of the businesses have used this practice to keep from having to submit a tier II report.

The implications to the LFD are the requirements set by EPCRA do meet the needs of the department for ensuring tier II reports are received, the concerns seems to be with the processes in place for dealing with the information. The use of and handling of this information needs to be further addressed. With the potential of tier II reports being sent to wrong fire departments and facilities lowering the limits to get under the reportable quantities the potential for the number of tier II reports received is there. Although with the information obtained during the interview with Fire Marshal Quick of the additional businesses submitting plans for hazardous material storage a drop in the number would seem unlikely.

#### Recommendations

The topic of this applied research paper was to determine what actions need to be put in place to ensure tier II reports are properly submitted on an annual basis to the LFD. After

completing all the research, it is the recommendation of this researcher for the LFD to create a policy for dealing with tier II reports received. This policy should include protocol to ensure tier II information is reviewed and compared to past submittals for changes and updates. The policy needs to be established by the LFD management staff and encouraged as a priority by management supporting our safety objectives for responding personnel. By doing so responding personnel will need to be more involved in the processes created.

Based on the results of this applied research paper, this researcher recommends the LFD instate a means to establish a mechanism in the procedures to follow up with companies when a tier II report is noted as not received when comparing data from the previous year. This recommendation will allow the LFD to determine what businesses have not submitted a tier II report. It will also allow LFD to determine if tier II reports were potentially submitted to the wrong department, determine if the company just failed to send a report or help determine if the company potentially lowered the amounts of hazardous material in order to get under the reportable quantities requiring reporting of a tier II report. This information needs to be entered into the LFD electronic occupancy database.

Lastly it is also the recommendation of this researcher to establish a means for the information to be available to the responding personnel in a manner of a pre-plan. With the information being entered into the electronic occupancy database a means to ensure the information is available to responding personnel will need to be established. This approach will inform responding personnel of the potential dangers in the community and help to minimize the potential for life and property loss.

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## Appendices

### Appendix A

#### Kansas Fire Departments

Abilene, Kansas FD	Garden City, Kansas FD
Andover, Kansas FD	Gardener, Kansas FD
Arkansas, City Kansas FD	Goodland, Kansas FD
Atchison, Kansas FD	Great Bend, Kansas FD
Augusta, Kansas FD	Greensburg, Kansas FD
Baldwin, City Kansas FD	Halstead, Kansas FD
Bonner Springs, Kansas FD	Hays, Kansas FD
Chanute, Kansas FD	Hesston, Kansas FD
Cherryvale, Kansas FD	Holcomb, Kansas FD
Clay Center, Kansas FD	Hutchinson, Kansas FD
Coffey County, Kansas FD	Independence, Kansas FD
Coffeyville, Kansas FD	Iola, Kansas FD
Colby, Kansas FD	Johnson County, Kansas FD #1
Concordia, Kansas FD	Johnson County, Kansas FD #2
Consolidated Fire District #2	Johnson County, Kansas Unincorporated
Derby, Kansas FD	Junction, City Kansas FD
Dodge City, Kansas FD	Kansas, City Kansas FD
El Dorado, Kansas FD	Kearny, County Kansas FD
Elkhart, Kansas FD	Lawrence, Kansas FD
Ellsworth, Kansas FD	Leavenworth, County Kansas FD
Emporia, Kansas FD	Leavenworth, County Kansas FD #1
Eudora, Kansas FD	Leavenworth, Kansas FD
Eudora, Kansas TWP FD	Leawood, Kansas FD
Fort Riley, Kansas Military Base FD	Liberal, Kansas FD
Fort Scott, Kansas FD	Louisburg, Kansas FD
Frontenac, Kansas FD	Manhattan, Kansas FD
Ft Leavenworth, Kansas FD	McPherson, Kansas FD

Merriam, Kansas FD

Mission, Kansas FD

Mulvane, Kansas FD

Neodesha, Kansas FD

Newton, Kansas FD

Olathe, Kansas FD

Ottawa, Kansas FD

Overland Park, Kansas FD

Parsons, Kansas FD

Pittsburg, Kansas FD

Pratt, Kansas FD

Reno County, Kansas FD

Russell City, Kansas FD

Salina, Kansas FD

Sedgwick, Kansas FD

Shawnee Heights, Kansas FD

Shawnee, Kansas FD

Skull, Kansas FD

Soldier Township, Kansas FD

Topeka, Kansas FD

Towanda, Kansas FD

Wakarusa, Kansas FD

Wamego, Kansas FD

Wellington, Kansas FD & EMS

Wichita, Kansas FD

North West Consolidated Fire District

Winfield, Kansas FD

Appendix B

Kansas Fire Department Survey Questions

1. Does your Fire Department receive Tier II reports from businesses within your community for hazardous material products the business uses or stores at their facility that meet the thresholds limits for submittal?

Yes

No

2. Does your department have a policy for dealing with Tier II reports received?

Yes

No

3. Has your department established any type of protocol to ensure Tier II reports are received from businesses throughout your community by the March 1st deadline?

Yes

No

4. Does your department compare the information received from Tier II reports from year to year?

Yes

No

5. When a Tier II report is received, does your department use the information for any pre-planning purpose?

Yes

No

6. Is the information received from a Business Tier II report available when crews respond to the business?

Yes

No

7. Do you feel confident all the businesses within your community that are required by law to submit a Tier II report are doing so?

Yes

No

Not Sure

8. Do you feel businesses within your community fail to submit Tier II reports because they do not understand the rules that require them to submit the reports?

Yes

No

Not Sure

9. Does your Department currently have the resources to properly deal with the tier II reports received and the information on them?

Yes

No

## Appendix C

## Lenexa Businesses

ACI Inc.	Fine Line Graphics
Acme Floor Company	Flowers Baking Company of Lenexa
Advanced Food Services	Gear for Sports
Airgas/Puritan Medical	Gill Studios, INC
Amazon.com.	Goodson & Associates
Arrow Material	Grab-N-Go 1
AT&T	Harvest Graphics LLC
Balon LLC. (Phillips 66)	Himoinsa Hi Power Building II
Bedrock International	Hughes Machinery
Belger Cartage Service	Hy-Vee Gas
BNSF	Infinity Foils Inc.
Broaderson Mfg.	Ink Cycle, Inc.
California Closet Co.	J & J Printing
Casey's General Store	Jennings Tool
Cates Sheet Metal	Kansas Granite & Tile
CEVA	KC P & L Service Center
Clinical Reference Laboratory	KCG Inc.
Coca-Cola	Kocher + Beck
Compass Controls	Kwik Shop, Inc. #782
Continental Tool & Mfg., Inc.	Lanter Dist
Crown Lift Trucks	Lenexa BP/Amoco
Custom Color Corp.	Machine Lab
Dark Horse Distillery	Mid-Am Wastewater
DaVinci Roofscapes	Midwest Lens
Deluxe Check Printers Financial Forms	Minit Mart #287
Disposable Instrument	Nifast Kansas
Dr. Pepper	NL Wilson Moving Inc.
Duffens/Langley Optical Co.	Norbrook, Inc.
Excel Tool & Mfg., Inc.	O'Connor Company Inc.

Paperworks Packaging Group	Silpada Designs, Inc.
Partners Kan-Verting	Smith & Loveless, Inc.
Prairie Creek Phillips 66	Solna
Praxair	Systemair Mfg
Preco Industries	Thermo Fisher
Qick Trip Corp	Trade WInds Energy LLC
Quad Graphics	Trendstone Manufacturing
Quick Fuel	UPS
Quick Trip	Veritiv
Quick Trip #242	Vertex CAC, LLC/Novation
Quidsi Logistics LLC.	Williams Foods
Quivira/Phillips 66	Windstream
Robbie Mfg	Wolgram Engineered Plastics, LLC
SAFC Biosciences	Xenotech
Sam's Club Fueling Station	Z L West Engineering Plastics
Sandy Inc.	Zhongcheng Packaging
Shasta Bev	Vanguard
Shell / CMSI #3370	
Shore Tire Company, Inc.	

## Appendix D

## Lenexa Business Survey Questions

1. Are you familiar with the SARA Title III law and the requirement for submitting Tier II Reports?

Yes

No

2. What is your level of understanding of the Tier II reporting requirements?

Completely understand the requirements for Tier II reporting.

Have a fair understanding of the requirements for Tier II reporting.

Have very little understanding of the requirements for Tier II reporting.

Have no understanding of the requirements for Tier II reporting.

3. Does your business have a dedicated resource/person to handle the Tier II reports that are sent to the local fire department?

Yes

No

Not Sure

We are not required to submit Tier II reports because we maintain levels below the reportable thresholds.

4. If you have a dedicated resource for completing the Tier II report process is it:

Completed by an on-site resource?

Completed by a corporate office located in another geographical area?

Completed by a hired third party?

Completed by another source not listed

5. Does your business try to reduce the amount of reportable hazardous material to stay below the tier II reportable amounts?

Yes

No

6. Do you think it is possible that your business tier II report may have or could have been sent to the wrong fire department?

Yes

No