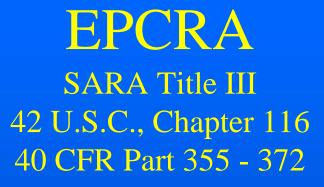
Emergency Planning and Community Right-to-Know Act (EPCRA)

Michelle Cortes State On Scene Coordinator GA DNR EPD



- Passed by Congress in 1986 in response to the Bhopal, India incident
- Establishes requirements for federal, state and local governments regarding emergency planning and community right to know reporting on hazardous and toxic chemicals.
- Helps increase public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment.
- States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment.

What does EPCRA Cover?

EPCRA has four major provisions:

- *Emergency Planning*, Section 301- 303
- *Emergency Notification*, Section 304
- Community Right-to-Know, Sections 311/312
 - » Section 311- Submittal of SDSs for EHS Chemicals
 - » Section 312- Hazardous Chemical Inventory (Tier II) reporting
- Toxics Release Inventory, Section 313

Emergency Planning, Section 301-303

- Local government required to prepare chemical emergency response plans and review at least annually
- State gov't required to oversee and coordinate local planning efforts
- Facilities with Extremely Hazardous Substances (EHS) onsite above listed threshold planning quantities (TPQ) must cooperate in emergency plan preparation

– EHS TPQs are specified in EPA's List of Lists

Emergency Notification, Section 304

Facilities must immediately (within 15 minutes) notify State and Local officials after the accidental release of EHS chemicals and 'hazardous substances' in quantities greater than listed RQ.
CERCLA and EHS RQs are specified in EPA's List of Lists
Written follow up reports, required under section 304(c)), must be sent to state and local officials (SERC and LEPC) as soon as practicable (within 30 days).

Community Right-To-Know, Section 311/312

EPCRA Hazardous Chemical Storage reporting, also known as:

- Tier I/Tier II reporting
- SARA Title III Hazardous Materials Inventory reporting
- EPCRA 311/312 reporting

EPCRA Section 311/312

- For any hazardous chemical used or stored in the workplace, facilities must maintain a safety data sheet (SDS). SDSs, or a list of chemicals, must be submitted to the State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC) and local fire department.
- Facilities must <u>also</u> report an annual <u>inventory</u> of these chemicals by March 1 of each year (for the previous year's inventory) to their SERC, LEPC and local fire department. The information must be made available to the public.
 - These annual reports are called **<u>Tier II reports</u>**

What criteria triggers reporting under Section 311/312?

- You must notify the SERC, LEPC, and LFD of certain hazardous chemicals in qualifying quantities located on site. You must submit an annual Tier II report if:
 - your facility has an Extremely Hazardous Substance (EHS) subject to reporting under Sec. 302 (40 CFR 355 Appendix A and B) as found in EPA's List of Lists;

– AND

the <u>EHS</u> amount stored (at any one time) is greater than or equal to 500 pounds -or- the Threshold Planning Quantity (TPQ) listed in the Sec. 302 column in EPA's *List of Lists*, <u>whichever is lower</u>.

Examples: Chlorine, TPQ= 100 lbs, reportable at 100 lbs Sulfuric Acid, TPQ= 1,000 lbs, reportable at 500 lbs

Section 311/312 reporting cont'd

- Even if the chemical is not an EHS, it may be reportable.
 A facility must also comply with EPCRA Section 311/312 and submit a Tier II report if it has:
 - a chemical located onsite that is required by the Occupational Safety and Health Administration (OSHA) <u>Hazard Communication Standard (HCS)</u> to maintain a Safety Data Sheet (SDS);

– AND

- in a quantity that exceeds 10,000 lbs. <u>at any one time</u> during the year.
- Example: Lead, non EHS chemical, reportable at 10,000 lbs
 Propane, non EHS chemical, reportable at 10,000 lbs

Tier II reporting exemptions

Some of the more common exemptions include:

- Retail gas stations: up to 75,000 gallons gasoline and up to 100,000 gallons diesel Facility must comply with the underground storage tank (UST) regulations (not for above ground tanks)
- Any food, food additive, color additive, drug, or cosmetic regulated by the Food and Drug Administration (<u>FDA</u>)
- Any substance present as a solid in any manufactured item to the extent exposure to the substance does not occur under normal conditions of use
- Any substances used for personal, family, or household purposes, or is present in the same form and concentration as a product packaged for distribution and use by the general public. "Can you buy it at Wal-Mart?"
 - » **NOTE: Small lead-Acid batteries are exempt but large industrial ones, such as those found in electric forklifts, are not.
- Substances in a research laboratory or a hospital or other <u>medical facility</u> under the direct supervision of a <u>technically qualified individual</u> (ex. oxygen)
- Any substance to the extent it is used in routine <u>agricultural operations</u> or is a fertilizer held for sale by a retailer to the ultimate customer; and
- If the OSHA HCS exempts substance from needing an SDS.

How do facilities send the Tier II reports?

- Starting in reporting year 2009, the GA EPD started requiring the use of EPA's <u>E-Plan</u>, an online electronic filing option, for the EPCRA §§311/312 submittal (SDS and inventory report requirement).
- A single submission of Tier II information using E-Plan will make the information available to the required SERC, LEPC, and FD.
- The regulated facility can view their Tier II information at any time on E-Plan and, as necessary, make up-to-the-minute changes to their Tier II report online.
- First Responders (Federal, State and Local Gov't personnel) have instant access to facility chemical inventories and chemical information
- E-Plan tutorials are found at: <u>http://eplannews.utdallas.edu/Training.htm</u> and within the E-Plan submittal application at <u>www.erplan.net</u>.

Toxics Release Inventory, Section 313

- EPA must maintain records of toxic chemical emissions (Toxic release Inventory, TRI) from certain facilities and must use this information in research and in preparation of guidelines and regulations.
- 25,000 lbs per year manufactured or processed, 10,000 lbs per year used. Released thru air, waste water or accidental releases.
- Facilities subject must submit annual reports of total amounts of chemicals released to the environment (both routinely and accidentally) to the U.S. EPA and to the State by July 1st of each year <u>http://www.epa.gov/toxics-release-inventory-tri-program/tri-mewebresources</u>
- For more information, contact Ezequiel Valez, EPA Region 4 TRI Coordinator, 404-562-9191

http://www2.epa.gov/toxics-release-inventory-tri-program

Overview of EPCRA Chemicals

	Section 302	Section 304	Sections 311/312	Section 313
Chemicals Covered	355 extremely hazardous substances	>1,000 substances	500,000 products	650 toxic chemicals and catagories
Thresholds	Threshold Planning Quantity 1-10,000 Ibs on site at any one time.	Reportable quantity, 1-5,000 lbs released in a 24-hour period.	500 lbs or TPQ whichever is less for EHSs; 75,000 gallons for gassoline; 100,000 gallons for diesel; 10,000 lbs for all other hazardous chemicals	processed; 10,000 lbs/yr otherwise used: certain

EPCRA Program Regulation

U.S. EPA is the regulatory authority

- No state legislation
- The DNR/EPD designated to fulfill the state reporting and public availability requirement (also offer compliance assistance).
- Jerry Campbell- Emergency Response Team Manager, EPCRA Coordinator for GA
 - Cartersville EPD Office 16 Center Road Cartersville, GA 30120 770-387-4900 Jerry.Campbell@dnr.state.ga.us

Helpful Links

Emergency Planning and Community Right-to-Know

- <u>42 U.S.C., Chapter 116</u>
- **EPA's EPCRA Website:**
 - http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting
- Emergency Planning and Notification regulation:
 - <u>40 CFR Part 355</u>
- Hazardous Chemical reporting regulation:
 - 40 CFR Part 370
- EPA's List of Lists
 - <u>http://www.epa.gov/sites/production/files/2015-</u>03/documents/list_of_lists.pdf

Who is the SERC?

GA EPD Emergency Response Team if we have regulatory authority

Either the DDO or First Responder for the 30 report submittals

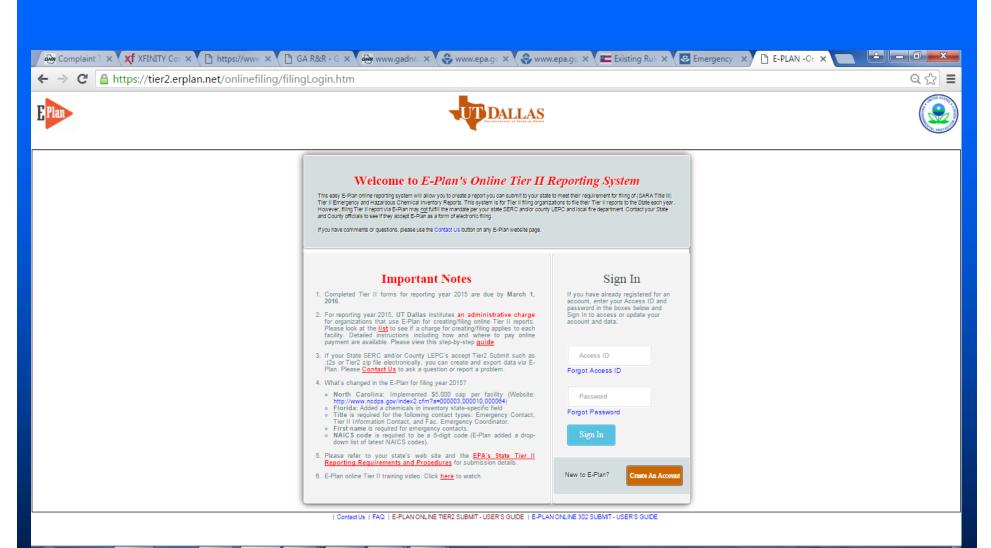
GEMA

Russell Bergmann, HMEP/LEPC Coordinator

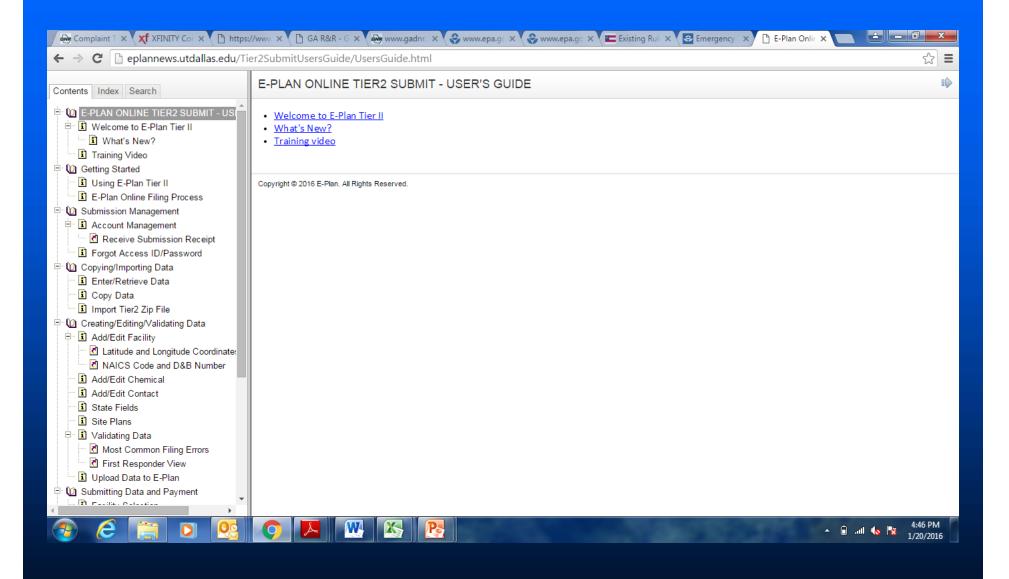
EPlan – www.erplan.net

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Home Chemical Search	E-Plan - Emergency Resp		
WMD Information	FIRST RESPONDERS	Online Tier2 eSubmit	
NIOSH Pocket Guide ATSDR Toxic Profile WISER	Login Page Federal, State, and Local Government	Login Page Tier II Submitters, Facility Managers, and	
E-Plan Online Training	Personnel	Business Owners	
E-Plan Online Filing (Tier2) E-Plan News			
E-Plan News E-Plan Facilities/State			
OSHA Occupational Chemical Database DisasterAssistance.gov			
EPCRA Title III Consolidated List of Lists			
Chemical Hazards Emergency Medical Management			
NOAA Guide to Responder Tools			
U.S. Fire Administration U.S. National Response Team			
CAMEO Chemicals			
EPA Tier2 Submit			
Weather			
Other Important Links			
	Contact Us Acceptable Use Policy News		
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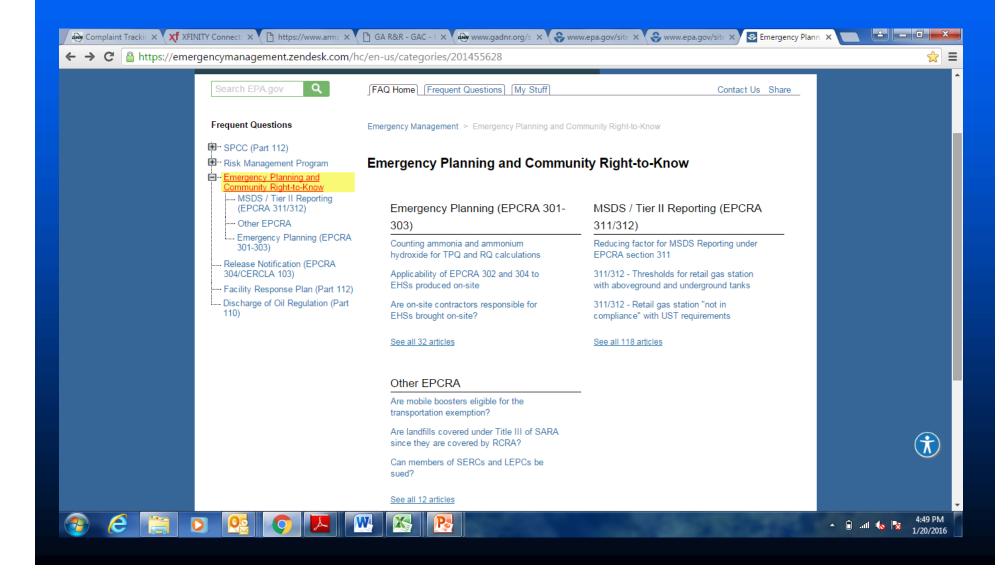








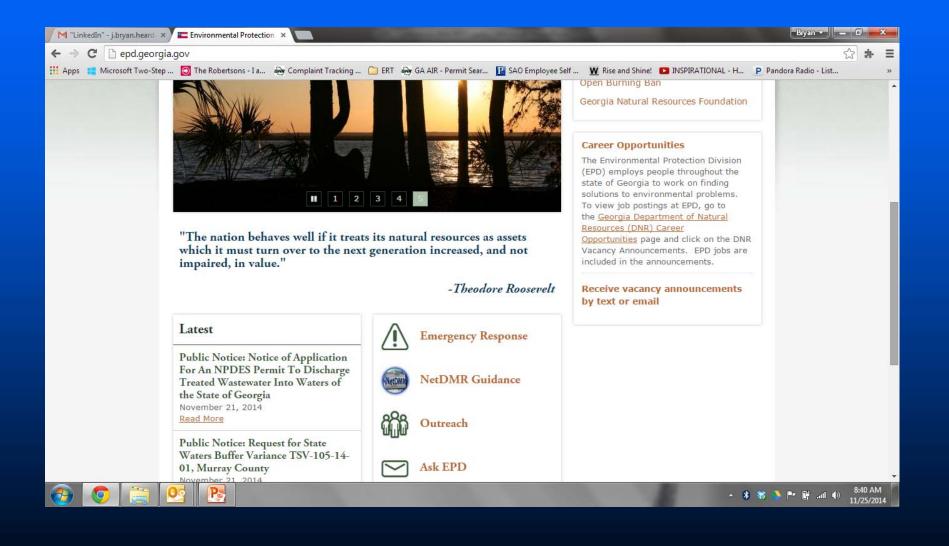
EPA's EPCRA FAQ

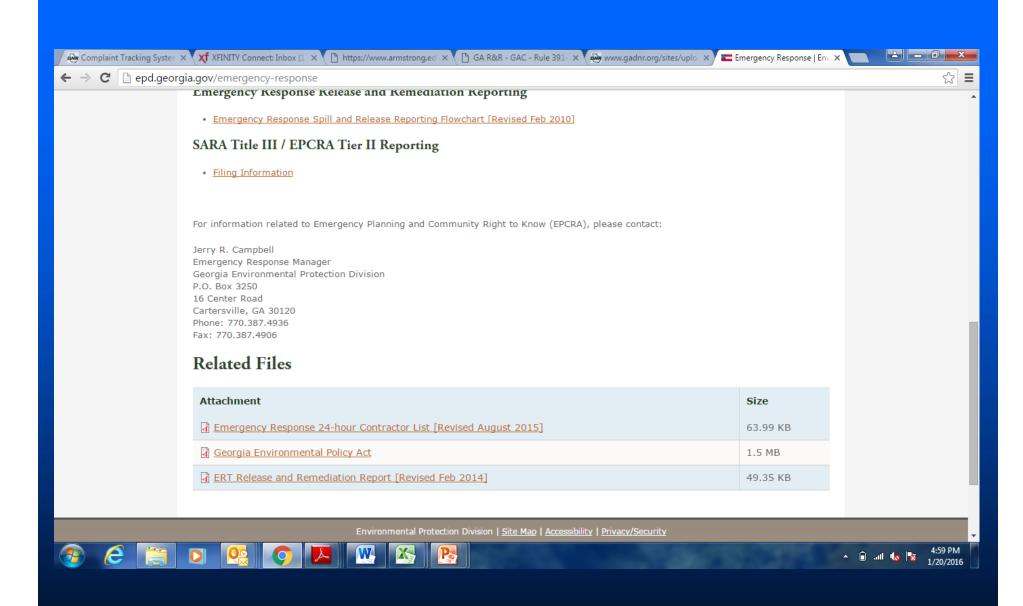


EPA's Consolidated List of Lists

C www.epa.gov/sites/produced	iction/files/2015-03/documents/list_o	f_lists.pdf							
	NAME	CAS/313	Section 302					CAA	
		Category	(EHS) TPQ		RQ	313	CODE		
		Codes		RQ				TQ	
	Carbon oxide sulfide (COS)	463-58-1			100			10,000	
	Carbon tetrachloride	56-23-5			10		U211		
	Carbonyl sulfide	463-58-1			100	313		10,000	
	Carbophenothion	786-19-6		500					
	Carbosulfan	55285-14-8			1,000		P189		
	Carboxin	5234-68-4				313			
	Catechol	120-80-9			100				
	CFC-11	75-69-4			5,000		U121		
	CFC-12	75-71-8			5,000	Х	U075		
	CFC-114	76-14-2				Х			
	CFC-115	76-15-3				Х			
	CFC-13	75-72-9				Х			
	Chinomethionat	2439-01-2				313			
	Chloramben	133-90-4			100				
	Chlorambucil	305-03-3			10		U035		
	Chlordane	57-74-9	1,000	1	1	313	U036		
	Chlordane (Technical Mixture and Metabolites)	N.A.			&				
	Chlorendic acid	115-28-6				313			
	Chlorfenvinfos	470-90-6		500					
	Chlorimuron ethyl	90982-32-4				313			
	Chlorinated Benzenes	N.A.			&				
	Chlorinated Ethanes	N.A.			&				
	Chlorinated Naphthalene	N.A.			&				
	Chlorinated Phenols	N084			&	313			
	Chlorine	7782-50-5	100	10	10	313		2,500	
	Chlorine dioxide	10049-04-4				313		1,000	
	Chlorine monoxide	7791-21-1						10,000	
	Chlorine oxide	7791-21-1						10,000	
	Chlorine oxide (CIO2)	10049-04-4				Х		1,000	
	Chlormephos	24934-91-6		500					
	Chlormeguat chloride	999-81-5							
	Chlornanhazine	404 03 1			100		1026		

EPD Website Access





DNR-EPD 24-Hour State Warning Point

1-800-241-4113

• All calls received are recorded and the information provided will be used to brief the EPD Duty Officer on notification.

Emergency Response

For all non emergency, administrative, or general questions call:

770-387-4900

Contact

Michelle Cortes, State On Scene Coordinator **GA** Environmental Protection Division 400 Commerce Center Drive Brunswick, GA 31523 912-264-7284 office 404-535-9309 cell michelle.cortes@dnr.ga.gov