

CHATHAM COUNTY HAZARDOUS SUBSTANCE ORDINANCES



Unique Ordinances

- There are two ordinances unique to Chatham County, GA regarding Hazardous Substances
- Chatham County Code, Chapter 21, Article VIII §21-800 – Report of Spill or Release of Hazardous Substance or Oil
- Chatham County Code, Chapter 21, Article X §21-1000 – Payment of Registration Fee by Facilities with Hazardous Substances
- All of the ordinances are easily viewable on www.lepc.com





Ordinances

Home » Ordinances

Chatham County Code Book: Chapter 21, Article VIII & X

[Read full chapter here.](#)

ARTICLE VIII

Report of Spill or Release of Hazardous Substance or Oil

§21-801 Title, Purpose, and Scope.

1. Title. This Ordinance shall be entitled the Report of Spill or Release of Hazardous Substance or Oil.
2. Purpose. This Ordinance is adopted into the Code of Chatham County pursuant to the powers granted Chatham County as a political subdivision of the State of Georgia, and as part of its strategy

Ordinances

[Hazmat Team Agreement](#)

[Hazmat Spill Ordinance](#)

[Hazmat Registration Invoice](#)

[Legal Definitions](#)

[Laws & Acts](#)



Article VIII: Report of Spill or Release of Hazardous Substance or Oil

- The most common misconception in reporting requirements are the legal definitions. Let's look at the terms used in the local ordinance...
- "Reportable quantity" means the amount of a hazardous substance which, if released into the environment in such quantity within any 24 hour period, must be reported to the division in the event of a spill or release. The reportable quantity for mixtures is the amount of the hazardous substance components of a mixture.
~O.C.G.A. 12-14-1 (2010)



How do I know what the Reportable Quantity (RQ) for a particular substance is?

- The easiest way to figure that out is to google “list of lists”. Then click on the EPA website. The list changes somewhat frequently, so please be sure to check back often.
- If no specific RQ is given, the default threshold is 10,000 lbs.

NAME	CAS/313 Category Codes	Section 302 (EHS) TPQ	Section 304 EHS RQ	CERCLA RQ	Section 313	RCRA CODE	CAA 112(r) TQ
.(S)-							
Aminopterin	54-62-6	500/10,000	500				
N-Nitrosodiethylamine	55-18-5			1	313	U174	
Benzamide	55-21-0				313		
O,O-Dimethyl O-(3-methyl-4-(methylthio) phenyl) ester, phosphorothioic acid	55-38-9				X		
Fenthion	55-38-9				313		
Nitroglycerin	55-63-0			10	313	P081	
Diisopropylfluorophosphate	55-91-4	100	100	100		P043	
Isofluorophate	55-91-4	100	100	100		P043	
Methylthiouracil	56-04-2			10		U164	



Article VIII: Report of Spill or Release of Hazardous Substance or Oil

- **“Spill or release”** means the discharge, deposit, injection, dumping, spilling, emitting, releasing, leaking, or placing of any hazardous substance into the air or into or on any land or water of the state, except from an underground storage tank and all plumbing and piping relating thereto or except high-level or low-level radioactive waste from a federally licensed nuclear facility or as authorized by state or federal law or a permit from the division. This term shall also mean the discharge of oil into waters of this state which will cause a significant film or sheen upon or discoloration of the surface of such waters or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of such waters or upon adjoining shorelines. ~O.C.G.A. 12-14-1 (2010)



Article VIII: Report of Spill or Release of Hazardous Substance or Oil

- “Facility” means (1) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft, or (2) any site or area where hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located; but does not include any consumer product in consumer use or any vessel. ~40 CFR 302.3



Article VIII: Report of Spill or Release of Hazardous Substance or Oil

- **§21-803 Incident, Defined:** An “incident” is defined herein as a known or suspected spill or release of a reportable quantity of a “hazardous substance” and the known or suspected spill or release of oil which has left the boundaries of the facility where stored or used.



Ok, I had an incident... now what?

- **§21-804 Notification Requirements.** Upon the occurrence of an incident as defined herein, where such incident is known or suspected, notification shall be by immediate telephone call to 911. “Immediate” as defined herein shall be within fifteen minutes of a person learning of such an incident.
- Dispatch will then make notifications to law enforcement, fire and CEMA.
- CEMA will contact the Responsible Party for a written follow-up report. Written follow-up reports must be completed within two business days.



What is required in the written follow-up report?

- In paragraph form, describe the incident. Ensure information regarding the bullets below are included.
 - *The incident and the action causing the incident*
 - *Any known or anticipated acute or chronic health risks associated*
 - *Advice regarding medical attention necessary for exposed individuals.*
 - *Proper precautions to take as a result of the release, including evacuation*
 - *Actions taken to respond to and contain the release*
 - *Any known or anticipated acute or chronic health risks associated*



SAMPLE REPORT FORMAT

(Use Company Letterhead)

Report Date

Chatham County Local Emergency Planning Committee
c/o the Chatham Emergency Management Agency
124 Bull Street, Suite 140
Savannah, Georgia 31401

RE: Written follow up to [chemical] release at [facility] on [date]

NRC Report Number:		Date of Release:	
Chemical Name:		GA EPD Number:	
Is this an EHS:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Duration of Release:	
Environment Affected:	<input type="checkbox"/> Air <input type="checkbox"/> Water <input type="checkbox"/> Land	Amount of Release:	
Source of Release:		Number of Injuries:	
Address / Location:		Number of Fatalities:	
Contact Name:		Contact Phone:	

In paragraph form, describe the incident. Ensure information regarding the bullets below are included.

- The incident and the action causing the incident
- Any known or anticipated acute or chronic health risks associated
- Advice regarding medical attention necessary for exposed individuals.
- Proper precautions to take as a result of the release, including evacuation
- Actions taken to respond to and contain the release
- Any known or anticipated acute or chronic health risks associated

Signature Block

Local Emergency Planning Committee



LEPC
...safety in knowledge.

What if I don't report an incident, or don't provide a written follow-up report in a timely manner?

- **§21-806 Penalties.** Violation of this Ordinance shall be subject to being fined upon conviction thereof by the Recorder's Court of Chatham County in an amount not to exceed \$1,000 for each violation. Each failure to report a release or discharge of reportable quantity shall be considered a separate violation.



Any questions regarding
Hazardous Substance spill
reporting?



Article X: Payment of Registration Fee by Facilities with Hazardous Substances

- Why do we have to register our facility? Why do some facilities require a registration fee?
- The intent of this Ordinance is to require the payment of a registration fee by facilities using over 10,000 pounds of hazardous substances for the reasonable cost of the HazMat Team for promoting the health, safety and welfare of the public, pursuant to O.C.G.A. §48-13-9.
- An additional intent is to require registration, but no fee by facilities using hazardous substances under 10,000 pounds.



Article X: Payment of Registration Fee by Facilities with Hazardous Substances

- **§21-1003 Hazardous Substances Registration.** Every person and every facility required to report annually to the Georgia Emergency Response Commission and the Chatham County Local Emergency Planning Committee in compliance with §312 Superfund Amendments and Reauthorization Act (SARA III) shall register with Chatham County through the Inspections Department no later than May 1st of each year. Such registration shall be done by the Chatham Emergency Management Agency Hazardous Materials Analyst, shall be valid for 12 months from the date of registration and shall be maintained permanently at the site of the facility.



Article X: Payment of Registration Fee by Facilities with Hazardous Substances

- **§21-1004 Registration Fees.** Registration fees shall be assessed on the basis of the combined average daily amounts of all hazardous substances as reported for the previous calendar years to the Georgia Emergency Response Commission and the Chatham County Local Emergency Planning Committee. Fee rates shall be based on the following scale:

The Combined Average Daily Amounts of all Hazardous Substances Reported under SARA Title III, Section 312	Chatham County Hazardous Materials Registration Fee
1 pound to 9,999 pounds	No Registration Fee Registration Still Required
10,000 pounds to 99,999 pounds	\$1,100.00
100,000 pounds to 999,999 pounds	\$2,200.00
1,000,000 pounds or greater	\$3,700.00



Article X: Payment of Registration Fee by Facilities with Hazardous Substances

- The failure of any person to register or to pay the hazardous substance fee by not later than May 1st of each year shall result in the requirement of payment of the original fee due plus a 25% delinquency fee increase of the amount which would have been due if timely paid, said delinquency fee amount not to exceed \$1,000. Failure to pay timely the registration fee or delinquency fee shall be enforceable in the Recorder's Court of Chatham County. *(Amended July 01, 2011)*



Exemptions...

- 1. Persons and facilities whose only hazardous substances subject to the reporting requirements cited above in compliance with §312 Superfund Amendments and Reauthorization Act (SARA III) are petroleum products (e.g. gasoline, diesel or oil) held only for retail sale to the general public.
- 2. Units, divisions, agencies, authorities, commissions of local, state or federal governments.
- 3. A critical facility which stores petroleum products (e.g. gasoline, diesel or oil) for use during an emergency. Only the petroleum products used for emergency operations will be considered for exemption. *(Amended November 20, 1998)*
- 4. A business which is regulated by the Georgia Public Safety Commission. *(Amended November 20, 1998)*



Article X: Payment of Registration Fee by Facilities with Hazardous Substances

- **§21-1005 Inspections.** The HazMat Team shall perform inspections in accordance with the rules and regulations under §312 Superfund Amendments and Reauthorization Act (SARA III), or upon the request of a registered facility.



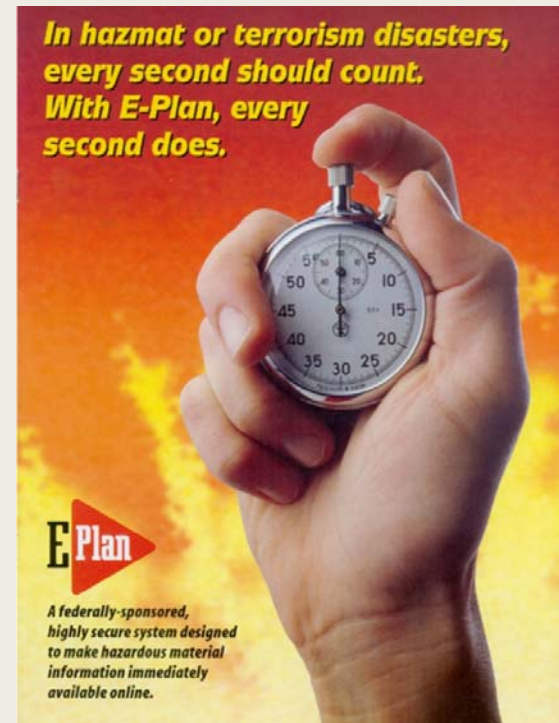
OK... I need to register... how do I do it?

- That's the simple part! It's an easy 3 step process...
- It is extremely important to ensure the contact information that you have submitted within e-Plan is correct and current!!!
- Keep in mind that the average daily quantity is calculated in WEIGHT (pounds), not gallons, grams, kilos etc... Some math may be required on your part.



Step 1: File on e-Plan

- File your facility's information onto e-Plan
- www.erplan.net
- File by March 1st each year



Step 2: Fill out invoice and return to CEMA

- CEMA will send an invoice to the contacts listed in e-Plan.
- Fill out invoice
- Must be postmarked by May 1st

Report the following total **Average Daily Amount** of all reportable hazardous substances as reported under SARA Title III to the Chatham County LEPC, the State of Georgia's SERC and the local fire department having jurisdiction. The **Average Daily Amount** of all reportable substances totals: **15000** lbs.

Under the registration fee schedule defined in Chatham County Ordinance, Chapter 21, Article X, Section 21-1001 through 21-1008, the Hazardous Substance Registration fee for the amount listed above is determined to be (*check only one*):

☐ \$0 ☐ \$1,100 ☐ \$2,200 ☐ \$3,700 ☐ Exempt (*see definition*)

If Exempt, please indicate which definition(s) applies: ☐ A ☐ B ☐ C ☐ D

This registration is valid for the period of **one (1) year** from **May 1 to April 30**. Registration and payment of fee is due to CEMA, Attn: HAZMAT Analyst, 124 Bull St., Suite 140, Savannah, GA 31401 **prior** to May 1st.

Signature _____ (Facility Authorized Representative) Printed Name _____

Title / Position _____ Telephone Number _____ Date _____

Make check payable to **CHATHAM COUNTY**.



The Combined Average Daily Amounts of all Hazardous Substances Reported under SARA Title III, Section 312	Chatham County Hazardous Materials Registration Fee
1 pound to 9,999 pounds	No Registration Fee Registration Still Required
10,000 pounds to 99,999 pounds	\$1,100.00
100,000 pounds to 999,999 pounds	\$2,200.00
1,000,000 pounds or greater	\$3,700.00



Chatham County, Georgia

Chatham Emergency Management Agency, c/o HAZMAT Analyst, 124 Bull Street, Suite 140, Savannah, GA 31401

Hazardous Substance Registration Invoice

Registration Number:
(Entered by Chatham County)

HS-004

ePlan Facility ID: [REDACTED]

[REDACTED]
(Name of Facility)

[REDACTED]
(Street Name)

[REDACTED]
(City, State, Zip)

Report the following total Average Daily Amount of all reportable hazardous substances as reported under SARA Title III to the Chatham County LEPC, the State of Georgia's SERC and the local fire department having jurisdiction. The Average Daily Amount of all reportable substances totals: **15000** lbs.

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If Exempt, please indicate which definition(s) applies: ☐ A ☐ B ☐ C ☐ D

This registration is valid for the period of one (1) year from May 1 to April 30. Registration and payment of fee is due to CEMA, Attn: HAZMAT Analyst, 124 Bull St., Suite 140, Savannah, GA 31401 prior to May 1st.

Signature

(Facility Authorized Representative)

Printed Name


Title / Position

Telephone Number

Date


Make check payable to **CHATHAM COUNTY**.

Step 3: Display completed Certificate


Chatham Emergency Management Agency
124 Bull Street, Suite 140, Savannah, Georgia 31401


**Hazardous Substance
Registration Certificate
2015**

REGISTRATION NUMBER: HS-004



In accordance with the Chatham County Code, the above listed business has registered with the CEMA office and has paid annual fees for the year of 2014, as required by the Chatham County Ordinance, Chapter 21, Article X, Section 21-1001 through 21-1008.

This Registration Certificate is Valid only if stamped below.

Chatham Emergency Management Agency
MAY 01 2015
Received by: 

Chatham Emergency Management Agency
Randall Mathews, Hazmat Analyst



Any questions regarding
Hazardous Substance
Registration, or anything
else covered today?



Randall Mathews
Chatham Emergency Management Agency
912-201-4500
rjmathews@chathamcounty.org

