

The Smart Associates

Environmental Consultants, Inc.

The Emergency Planning & Community Right-to-Know Act

EPCRA (1986) established requirements for Federal, State, and local governments; Indian Tribes; and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access into information on chemicals at individual facilities.

EPCRA Four Major Provisions

1. Emergency Planning (Sections 301-303)
 2. Emergency Release Notification (Section 304)
 3. Hazardous Chemical Storage Reporting Requirements (Sections 311-312)
 4. Toxic Chemical Release Inventory (Section 313)
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Section 311 Requirements

- Section 311 requires facilities that have MSDSs for chemicals held above certain quantities to submit either copies of their MSDSs or a list of MSDS chemicals to:
 1. State Emergency Response Commission (SERC)
 2. Local Emergency Planning Committee (LEPC)
 3. Local Fire Department
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Section 311 Requirements

- If facility opts to submit a list of MSDS chemicals, the list must include the chemical or common name of each substance and must identify the applicable hazard category:
 1. Immediate (acute) health hazard
 2. Delayed (chronic) health hazard
 3. Fire hazard
 4. Sudden release of pressure hazard
 5. Reactive hazard
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Section 311 Requirements

- One time submission; update only for new chemicals or new information on existing chemicals
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Section 312 Requirements

- ❑ Submit an annual emergency and hazardous chemical inventory form (Tier 2 Form). Submit to the SERC, LEPC, and local Fire Department. Include information for each chemical present in quantities that exceed the applicable thresholds.
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Section 312 Requirements

Which Chemicals Are Covered?

1. Extremely Hazardous Substances (EHS). 356 chemicals with Threshold Planning Quantities (TPQ) of 1-10,000 lbs. Report if the quantity stored exceeds the TPQ or 500 lbs, whichever is smallest.
 2. 700+ other hazardous substances. Report if the quantity stored exceeds 10,000 lbs.
 3. 500,000+ additional substances for which MSDSs have been generated. Report if the quantity stored exceeds 10,000 lbs.
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Section 312 Requirements

□ **Where to find chemical information.**

1. Title III Consolidated List of Lists found at [http://www.yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/title3_Oct_2006.pdf/\\$file/title3_Oct_2006.pdf](http://www.yosemite.epa.gov/oswer/ceppoweb.nsf/vwResourcesByFilename/title3_Oct_2006.pdf/$file/title3_Oct_2006.pdf)
 2. OSHA Hazard Communication Standard – 29 CFR 1910.120
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Section 312 Requirements

What information is required?

1. Chemical or common name from MSDS.
 2. Estimate (in ranges) of maximum amount present at any time during the previous year.
 3. Brief description of the manner of storage.
 4. Location of the chemical at the facility.
 5. Indication of whether the owner elects to withhold location information from the public.
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Section 312 Requirements

- ❑ **How to file.**
- ❑ Electronically using “Tier 2 Submit” software available at:

<http://www.yosemite.epa.gov/oswer/ceppoweb.nsf/content/index.html>

Apply annually by **March 1** to **SERC, LEPC, and local fire department.**

Section 312 Requirements

Typical Chemical Weights

<input type="checkbox"/> <u>Compound</u>	<u>CAS #</u>	<u>Gallons/10,000lbs</u>
Gasoline	8006-61-9	1600
Potassium Acetate	127-08-2	935
Diesel Fuel	68476-30-2	1400
Propylene Glycol	57-55-6	1150
Ethylene Glycol	107021-1	1080

EPCRA Penalties

- Administrative penalties of \$10,000-75,000 per violation when facilities fail to comply with reporting requirements.
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QUESTIONS?

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