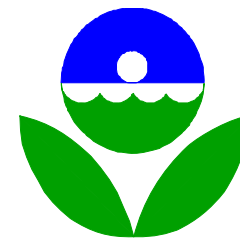


US EPA ARCHIVE DOCUMENT



United States Environmental Protection Agency – Region 4

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

What is EPCRA

- The EMERGENCY PLANNING and COMMUNITY RIGHT-TO-KNOW ACT (EPCRA) was enacted in 1986 in response to accidental chemical releases in Bhopal, India (1984) and Institute, West Virginia (1985).

What is EPCRA (cont'd)

- Established requirements for the identification and reporting of hazardous chemicals within the community.
- Established requirements for state and local emergency planning.
- Established requirements for chemical release reporting.

Components of EPCRA

- Emergency Planning (Section 302)
- Release Notification (Section 304)
- Hazardous Chemical Inventory Reporting (Sections 311-312) (Tier I or Tier II)
- Toxic Chemical Release Inventory (Section 313) (TRI)

EPCRA Organizations/Roles

- USEPA Region 4 EPCRA Section
- SERC (State Emergency Response Commission) Kentucky Division of Emergency Management
- LEPC (Local Emergency Planning Committee) usually at county-level

USEPA R-4 Role in EPCRA

- The R-4 EPCRA Enforcement Section monitors and enforces EPCRA requirements within the eight state Region
- Inspections and Compliance Assistance
- Release Investigations
- EPCRA Violation Enforcement Actions
- CAMEO Training

State Emergency Response Commission (SERC) Role

- Designates local emergency planning districts (KY has 14 Area Offices plus the county-level LEPCs)
- Supervises/coordinates LEPC activities
- Receives
 - Tier II and TRI chemical inventories
 - Receives Emergency Release Notifications

Local Emergency Planning Committee (LEPC) Role

- The LEPC is your local resource for chemical right-to-know.
 - Maintains emergency response plans.
 - Maintains copies of chemical inventories.
 - Maintains MSDSs or list of hazardous chemicals in the inventories.
 - Consists of owners/operators of each facility subject to emergency planning and notification requirements.

Most Common Healthcare Industry EPCRA Violations

- Failure to report accidental chemical releases to local authorities (LEPC and Fire Department) (CERCLA 103 and EPCRA 304)
- Failure to report hazardous chemicals inventory to LEPC and SERC (EPCRA 302, 311 and 312)

What If I Have A Release?

- Release contained within property?
 - EHS only chemical > No formal notification
 - EHS and/or CERCLA chemical > Notify National Response Center (NRC) at 1-800-424-8802
- Release leaves property?
 - EHS only > Immediate report and follow-up to SERC & LEPC
 - CERCLA only > Immediate report to SERC, LEPC and NRC and follow-up to SERC & LEPC
 - EHS and CERCLA > Immediate report to SERC, LEPC and NRC and follow-up to SERC & LEPC

Do I Need To Report My Chemical Inventory?

- If chemicals in inventory have MSDS and:
 - More than 10,000 lbs for non-EHS chemicals;
 - More than the TPQ or 500 lbs (whichever is less) for EHS chemicals; and,
 - Threshold met at any one time during the year

How Do I Report My Inventory?

- Initial report:
 - Emergency planning notification letter
 - One time notification
 - Notify SERC and LEPC
- Tier I or II report:
 - Annually to SERC and LEPC
- Information: KyDEM SARA Title III
 - Ms. Barbara Yates, (502) 607-5759

US EPA R-4 CONTACTS

**US EPA Region 4
61 Forsyth Street
Atlanta, Georgia 30303**

**General Information:
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US EPA Region 4 EPCRA Enforcement Section:

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Jyoti Bhushan	South Carolina	(404) 562-9182
Andrew Porter	Tennessee	(404) 562-9184

EPCRA Contacts

- National Response Center: (800) 424-8802
- US EPA Region 4 EPCRA Section
 - > Emergency Planning and Community Right-to-Know Act (EPCRA)
 - > Region 4/US EPA
- Kentucky Emergency Management Division
 - > Kentucky: Division of Emergency Management – SARA Title III Overview
 - > Kentucky: Division of Emergency Management – Area Offices
- CAMEO Chemical Library
 - > [CAMEO Chemicals](#)

Selected References

- Title III Consolidated List-of-Lists
- 40 CFR 350, 355, 370 and 372
- Kentucky Division of Emergency Management, SARA Title III Overview
 - > <http://kyem.ky.gov/sara.htm>
 - > 502-607-5712
- KyEM Title III “How to Comply” packet

What & Where To Submit

SECTION	COVERAGE/ TOPIC	REQUIREMENT	RELEVANT CHEMICAL LIST	THRESHOLDS	SUBMIT TO:
301-303	Emergency Planning	LEPC Emergency Plan, EHS Notification	356 Extremely Hazardous Substances	Specified Threshold Planning Quantities (TPQ: 1 - 10,000 lb.)	SERC LEPC
CERCLA 103* / EPCRA 304	Emergency Notification	Accidental Release Reporting	CERCLA102(a) Substances* and EHSs	Specified Reportable Quantities	NRC* SERC LEPC
311	Hazardous Chemical Inventory	MSDSs or List of Chemicals	OSHA Hazardous Chemicals (No Specific List)	10,000 lb.; or, if EHS, 500 lb., or TPQ - whichever is lower	SERC LEPC Local Fire Dept.
312	Hazardous Chemical Inventory	Inventories, Hazards, and Locations (Tier I or II)	OSHA Hazardous Chemicals (No Specific List)	10,000 lb.; or, if EHS, 500 lb., or TPQ - whichever is lower	SERC LEPC Local Fire Dept.
313	Toxic Chemical Release Reporting	Total Annual Release, Waste Management, & Source Reduction Data - PPA (Form R / FORM A)	Over 600 Toxic Chemicals and Chemical Categories	25,000 lb. manufactured or processed; 10,000 lb. otherwise used; PbT Thresholds	EPAREg. Office State