

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)
- 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 (NC has three regional 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 representatives of facilities 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)

*EPA Office of Compliance Sector Notebook Project, Profile of the Healthcare Industry, Chapters I, II and III. February 2005. EPA/310-R-05-002.

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:
 - <http://www.ncem.org/SERC/downloads.htm>

EPCRA Contacts

- National response Center (800) 424-8802
- USEPA Region 4 (800) 241-1754, or
- USEPA Region 4 EPCRA Section
 - <http://www.epa.gov/region4/air/epcra/>
- NC SERC
 - <http://www.ncem.org/sercmenu.htm>

USEPA R-4 CONTACTS

- US EPA Region 4
 - 61 Forsyth Street
 - Atlanta, Georgia 30303
- General Information
(800)241-1754
(404)562-9900
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- US EPA Region 4 EPCRA Enforcement Section
 - Caron Falconer Section Chief (404)562-8451
 - Robert Bookman Program Manager (404)562-9169
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- Erika Bolden Alabama (404)562-9195
 - Bryce Covington Florida (404)562-9192
 - Erika Bolden Georgia (404)562-9195
 - Charles Combs Kentucky (404)562-9179
 - Lawrence Fincher Mississippi (404)562-9190
 - Vinson Poole North Carolina (404)562-9186
 - Jyoti Bhushan South Carolina (404)562-9182
 - Andrew Porter Tennessee (404)562-9184
 - Email: lastname.firstname@epa.gov

Selected References

- 40 CFR Subchapter J, Parts 302, 355, 370 and 372 available at:
 - http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=401d1fa5a85e820674e669b8a3edf23b&c=ecfr&tpl=/ecfrbrowse/Title40/40cfrv27_02.tpl
- CAMEO Chemical Library
 - [CAMEO Chemicals](#)
- Tier II Submit
 - <http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/tier2.htm>
- Healthcare Sector Notebook
<http://www.hercenter.org/links/>

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