



# 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:  
(800) 241-1754  
(404) 562-9900**

## US EPA Region 4 EPCRA Enforcement Section:

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# 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

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