



EPCRA – 30 years later!

Mathew Marshall

E-Plan State Tier 2 Coordinator

Superfund Amendments and Reauthorization Act (SARA) Title III

Emergency Planning and Community Right to Know Act

October 17, 1986

Purpose of EPCRA

- Improve Community Preparedness
- Promote Cooperation
- Increase Public Awareness
- Build Information Database

History of EPCRA

- December 4, 1984... Bhopal, India
 - Union Carbide chemical plant
 - Methyl Isocyanate(MIC) release
 - 25,000 deaths and more than 100,000 injured
- Institute, West Virginia
 - Methyl Isocyanate(?) release
 - More then 100 people injured

What Does EPCRA Require?

1. Creation of state and local emergency planning entities.

- EPCRA § 301(a) – The State Emergency Response Commission “SERC”.
- EPCRA § 301(b) – SERC establish Planning Districts
- EPCRA § 301(c) - The Local Emergency Planning Committee “LEPC”.

2. Emergency planning efforts.

- EPCRA § 303(a) – Emergency Plan
- EPCRA § 303(b) – Resources
- EPCRA § 301(c) – Plan provisions

3. Facility involvement and requirements for notification and reporting.

LEPC

- Develops and maintains a local emergency plan.
- Make information and submitted reports publicly available during normal business hours.
- Notify the public of the availability of Title III information, such as the emergency plan, activities, meetings, and provide opportunities for public comment.
- Organize Hazardous Materials Training

Who Makes up the LEPC?

At a minimum the LEPC membership should include representatives from the following:

- Elected state and local officials
- Law enforcement agencies
- Emergency Management agencies
- Firefighting personnel
- First aid personnel
- Health care personnel
- Local environmental groups
- Hospital staff
- Transportation personnel
- Broadcast and print media
- Community groups
- Owners and operators of facilities subject to emergency planning

40 CFR Part 370.10

Who must comply with the hazardous chemical reporting requirements?

(a) You must report if OSHA requires your facility to prepare or have available MSDS (SDS) for a hazardous chemical and if either of the following conditions is met:

- (1) An **EHS** is present at your facility at any one time in an amount equal to or greater than 500 pounds (227 kg—approximately 55 gallons) or TPQ.
- (2) **Non-EHS** is present at your facility at any one time in an amount equal to or greater than 10,000 pounds (or 4,540 kg).

(b) The threshold level for responding to the following requests is zero.

- (1) If your LEPC requests that you submit an MSDS for a hazardous chemical for which you have not submitted an MSDS to your LEPC; or
- (2) If your LEPC, SERC, or the fire department with jurisdiction over your facility requests that you submit Tier II information.