



The National Park Service EnviroFact Sheet

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EPCRA: Emergency Planning & Reporting (G-3)

DRAFT

July 2007

The Emergency Planning and Community Right-to-Know Act

was designed to provide federal, state, and local agencies, as well as the public, access to information on chemical hazards within a community.

Under EPCRA, facilities are required to provide certain information if they use, store, and/or release any specified chemical in an amount equal to or greater than established chemical threshold limits.

Basic requirements of EPCRA, applicable to federal facilities, include the following provisions:

- Emergency planning;
- Hazardous chemical storage reporting (Community Right-to-Know reporting); and
- Toxic chemical release inventory reporting.

Information gathered under these requirements allows states and communities to develop a broad perspective of the chemical hazards present in their community and at specific facilities. Reporting must often be made to Local Emergency Planning Committees (LEPC) or a State Emergency Response Commission (SERC).

FOR MORE INFO...

Consolidated "List of Lists"
[http://yosemite.epa.gov/oswer/CepoWeb.nsf/vwResourcesByFileName/title3.pdf/\\$File/title3.pdf](http://yosemite.epa.gov/oswer/CepoWeb.nsf/vwResourcesByFileName/title3.pdf/$File/title3.pdf)

State TRI Programs
http://www.epa.gov/tri/programs/state_programs.htm

APPLICABLE REGULATIONS

Under Executive Order 13432, *Strengthening Federal Environmental, Energy, and Transportation Management*, federal facilities are required to comply with the Emergency Planning and Community Right-to-Know Act (EPCRA) to ensure that they inform the public about possible sources of pollution resulting from their operations.

EMERGENCY PLANNING REQUIREMENTS (EPCRA Sections 301-303)

Local Emergency Planning Commissions (LEPCs) and State Emergency Response Commissions (SERCs) are required to develop emergency response plans for their communities. To do this, facilities must provide information to help identify hazards present in the community. For an NPS facility, this means providing the LEPC and SERC with information about any extremely hazardous substances (EHSs) on site that exceed "threshold planning quantities" (TPQ). An EHS is any chemical that has immediate health effects and is classified as such based on its hazardous and toxicity characteristics. These chemicals are specifically listed in Appendix A of 40 CFR Part 355.

Any facility that has any of the listed chemicals at or above the TPQ must notify the SERC and LEPC within 60 days after they first receive a shipment of the substance.

COMMUNITY RIGHT-TO-KNOW REPORTING REQUIREMENTS (EPCRA Sections 311-312)

Under the Occupational Safety and Health Administration (OSHA) regulations, employers are required to maintain Material Safety Data Sheets (MSDSs) for any hazardous chemical stored or used in a workplace (see the EnviroFact Sheet – "Hazard Communication (SY-1)"). Section 311 of EPCRA requires facilities that have MSDSs for chemicals above certain quantities to submit either copies of those MSDSs or a list of the MSDSs to the SERC, LEPC, and/or the fire department with jurisdiction over the facility.

MSDSs (or corresponding lists) must be submitted for all EHSs present at the facility in amounts equal to or greater than 500 pounds or the TPQ, whichever is lower. For all other chemicals with an MSDS at the facility, the reporting trigger is 10,000 pounds.

If a park triggers the EPCRA MSDS reporting requirements, they should submit an emergency and hazardous chemical inventory form (known as the Tier I form) to the LEPC, SERC, and local fire department by March 1 each year. The Tier I form provides basic information about the chemicals, such as the maximum amount of chemicals present at the facility at any time during the past year. If requested by the state, the facility will be required to submit the more detailed Tier II report.

TOXIC RELEASE INVENTORY (TRI) DATA REPORTING REQUIREMENTS (EPCRA Section 313)

Federal facilities are required to submit a TRI Form (Form R) if more than the threshold quantity of a toxic chemical is intentionally released to the environment. The Form R must be submitted to the appropriate federal, state, and/or local authorities by July 1 of each year and covers the previous calendar year. The report should include releases and waste management activities of toxic chemicals that occurred the preceding *calendar* year. Toxic chemicals subject to TRI reporting include chemicals that may cause severe illness, birth defects, disease or death, and pose an environmental hazard (see 40 CFR 372.65 for a list of these chemicals).

Substances found at many NPS facilities and their corresponding EPCRA thresholds are listed in the table above. The two most common toxic chemicals released by parks are chlorine and lead. All lead releases due to the operation of onsite firing ranges are reported to NPS headquarters as part of the annual Lead Release/Green Ammunition Use Survey which in turn submits Form Rs for lead to EPA. All other TRI releases (i.e., chlorine, other uses of lead) must be reported by parks directly to EPA. To find information about toxic chemicals not listed above, see the [EPA's "Consolidated List of Lists."](#)

EMERGENCY PLANNING AND REPORTING COMPLIANCE CHECKLIST

Checklist Item	Notes
1. Look up your park's chemicals on the EPA's "Title III Consolidated List of Lists" at http://yosemite.epa.gov/oswer/CeppoWeb.nsf/vwResourcesByFilename/title3.pdf/\$File/title3.pdf to determine their hazardous characterization and corresponding TPQ.	
2. Ensure that the SERC has been notified that the facility is subject to the emergency planning requirements under EPCRA. (Unless state regulations are more stringent, notification must be made <i>only</i> if the Park uses or stores extremely hazardous substances [EHS] above the threshold planning quantity [TPQ].)	
3. Ensure that MSDSs (or corresponding lists) are submitted to the SERC, LEPC, and/or the fire department with jurisdiction over the facility. MSDSs must be submitted for: <ul style="list-style-type: none"> • EHSs present at the facility in amounts equal to or greater than 500 pounds (227 kg, or approximately 55 gal), or the threshold planning quantity, whichever is lower; and • Hazardous chemicals present at the facility at any one time in amounts equal to or greater than 10,000 pounds (4540 kg). (Note: Hazardous chemicals requiring an MSDS are chemicals designated by OSHA under 29 CFR 1910.1200.) 	
4. Ensure that Tier I reports (or Tier II if requested by the state) are submitted annually to the SERC, LEPC, and/or fire department officials if chemicals present at the facility exceed the minimum thresholds.	
5. Ensure that park staff are familiar with toxic chemicals requiring TRI reporting that may be present at the park (i.e., lead, mercury, chlorine).	
6. Verify that, if the park has law enforcement staff who use an offsite and/or onsite outdoor firing range, the park submits an annual report to NPS headquarters as part of the annual Lead Release/Green Ammunition use survey.	
7. If TRI reporting is required for substances other than lead at outdoor ranges, ensure that the report is submitted to EPA (and the state) before the July 1 deadline.	