

EPCRA

Also known as Title III of the Superfund Amendment Reauthorization Act, Emergency Planning Conservation Act, (EPCRA) was enacted by Congress as the national legislation on community safety. The law was designated to help local communities protect public health, safety, and the environment from chemical hazards.

There are four major areas of focus within the EPCRA program that businesses should most be concerned:

- *Sections 302 & 303, Emergency Planning:* Businesses must notify local and state emergency response boards if they have extremely hazardous substances present on-site above threshold planning quantities.
- *Section 304, Emergency Release Notification:* Businesses must notify local and state emergency response boards in the event of accidental releases of hazardous substances in excess of reportable quantities.
- *Sections 311 & 312, Hazardous Chemical Reporting:* Businesses must submit material safety data sheets (MSDSs) or lists of hazardous chemicals on-site above threshold quantities to local and state emergency response boards and to local fire departments. Due annually by March 1st.
- *Section 313, Toxic Chemical Release Reporting:* Covered facilities must submit annual reports on toxic chemical releases. Due annually by July 1st.

Federal and state agencies have been aggressive in pursuing enforcement. With significant fines per day possible, it is essential that you are conscientious in your compliance efforts. In fact, in recent years a number of firms have been assessed penalties exceeding \$100,000.

If your facility is covered by the provisions of EPCRA, Bay Environmental Strategies, Inc. (BAY) may assist you.

- Compile an inventory of all the products used and stored on-site
- Notify the State Emergency Response Board, Local Emergency Planning Committee, and fire department of the regulated materials on-site
- Notify the State Emergency Response Board, Local Emergency Planning Committee, and fire department if a release of the regulated material occurs
- Submit a Toxic Release Inventory (TRI) Form R annually for each chemical that is processed, manufactured, or otherwise used in excess of the specified amount
- Submit Tier II forms for on-site storage of listed substances present above threshold quantities

