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**WHITEWATER**

Emergency Planning & Community  
Right-to-Know Act  
(EPCRA)

March 30, 2010





## Diesel Tanker Flips in Kenosha County

By Sean O'Flaherty and Jay Sorgi

Story Created: Mar 12, 2010

Story Updated: Mar 13, 2010

SOMERS - A tanker carrying more than 7,000 gallons of diesel fuel has rolled over in Kenosha County.

The crash happened along a busy stretch of Highway 31 (Green Bay Road), which is shut down between highways S and L.

This is a rural area so there aren't many homes around and no need for evacuations.


Crews were there most of the day.

The driver was likely reaching for his cell phone when the accident happened. Cleanup could take 2-4 weeks.

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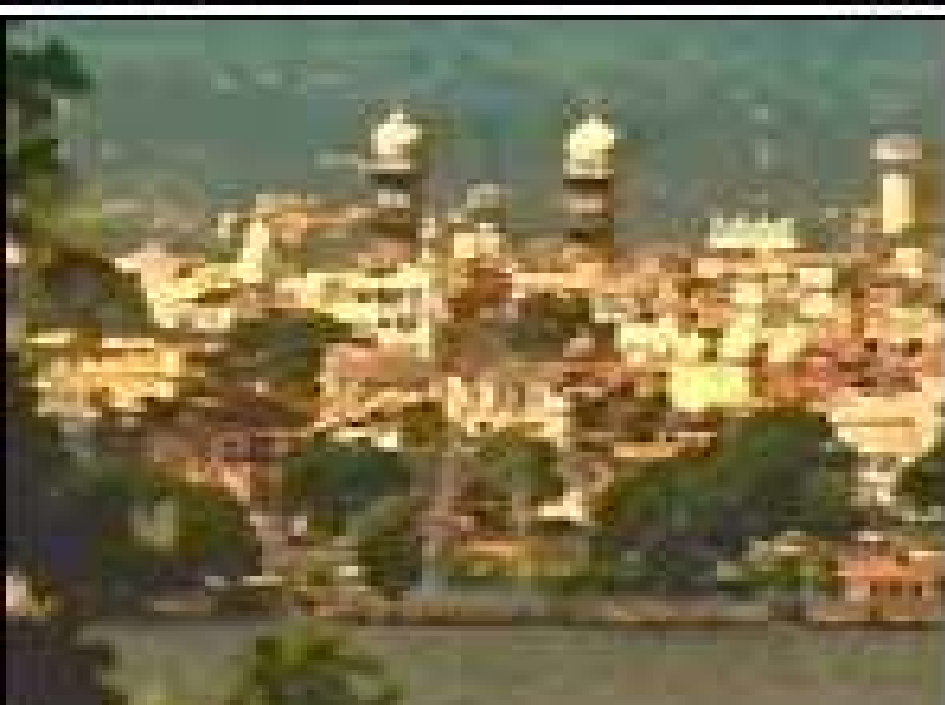
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# History

Bhopal, India (December 3, 1984)

EPCRA Enacted (October 16, 1986)

Also known as "SARA Title III"

Title III of the Superfund Amendments  
and Reauthorization Act





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## **EPCRA aka SARA Title III**

**Requires public disclosure by facilities**

**Information about on-site chemicals**

**Information to support local agencies**

**in emergency response planning**

**Administered by the EPA and state and  
local authorities**



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# Definitions

Facility

SERC/LEPC

Hazardous substance



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# Definitions

RQ – Reportable quantity

TPQ – Threshold planning  
quantity

PPA – Pollution Prevention Act



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# EPCRA

Has *four* components:

1. Emergency Planning Notification (Section 302)
2. Emergency Release Notification (Section 304)
3. Hazardous Chemical Inventory Reporting (Sections 311-312)
4. Toxic Chemical Release Reporting (Section 313)



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# Emergency Planning & Notification

Section 301-303

State Emergency Response Committee/Local Emergency Planning Committee

Extremely Hazardous Substance (EHS)  
Threshold Planning Quantity (TPQ)

Off-site Emergency Response Plan





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# Emergency Release Notification

Section 304

Facility owner or operator  
required to report to SERC & LEPC  
CERCLA HS or EHS > RQ

Release follow-up



*(Photo: Ascanio / Flickr;  
Edited: Lance Page / t r u t h o u t)*



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# Hazardous Chemical Inventory Reporting

Section 311-312

311: MSDS/List submittal

312: Annual Reporting to SERC/LEPC/FD

“Tier II”

Due annually by March 1



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# Toxic Chemical Release Reporting

Section 313

Toxic Release Inventory

Form R

Due annually by July 1

Persistent Bioaccumulative Toxins (PBT)

*TRI Thresholds.* Reporting under EPCRA section 313 is triggered by the quantity of a chemical that is manufactured, processed, or otherwise used during the calendar year. For most TRI chemicals, the thresholds are 25,000 pounds manufactured or processed or 10,000 pound otherwise used. EPA has recently lowered the reporting thresholds for certain chemicals and chemical categories that meet the criteria for persistence and bioaccumulation. The following list provides the thresholds for these chemicals( in pounds unless otherwise noted):

<b>Chemical Name or Category</b>	<b>CAS Number</b>	<b>Threshold (lbs)</b>
Aldrin	309-00-2	100
Benzo(g,h,i)perylene	191-24-2	10
Chlordane	57-74-9	10
Dioxin and dioxin-like compound category (manufacturing; and processing or otherwise use of dioxin and dioxin-like compounds if they are present as contaminants in a chemical and if they were created during the manufacture of that chemical)	NA	0.1 gram
Heptachlor	76-44-8	10
Hexachlorobenzene	118-74-1	10
Isodrin	465-73-6	10
Lead and lead compounds except lead contained in stainless steel, brass, and bronze alloys (applies to reporting for 2001(due July 2002) and later)	NA	100
Methoxychlor	72-43-5	100
Octachlorostyrene	29082-74-4	10
Pendimethalin	40487-42-1	100
Pentachlorobenzene	608-93-5	10
Polycyclic aromatic compounds category	NA	100
Polychlorinated biphenyls (PCBs)	1336-36-3	10



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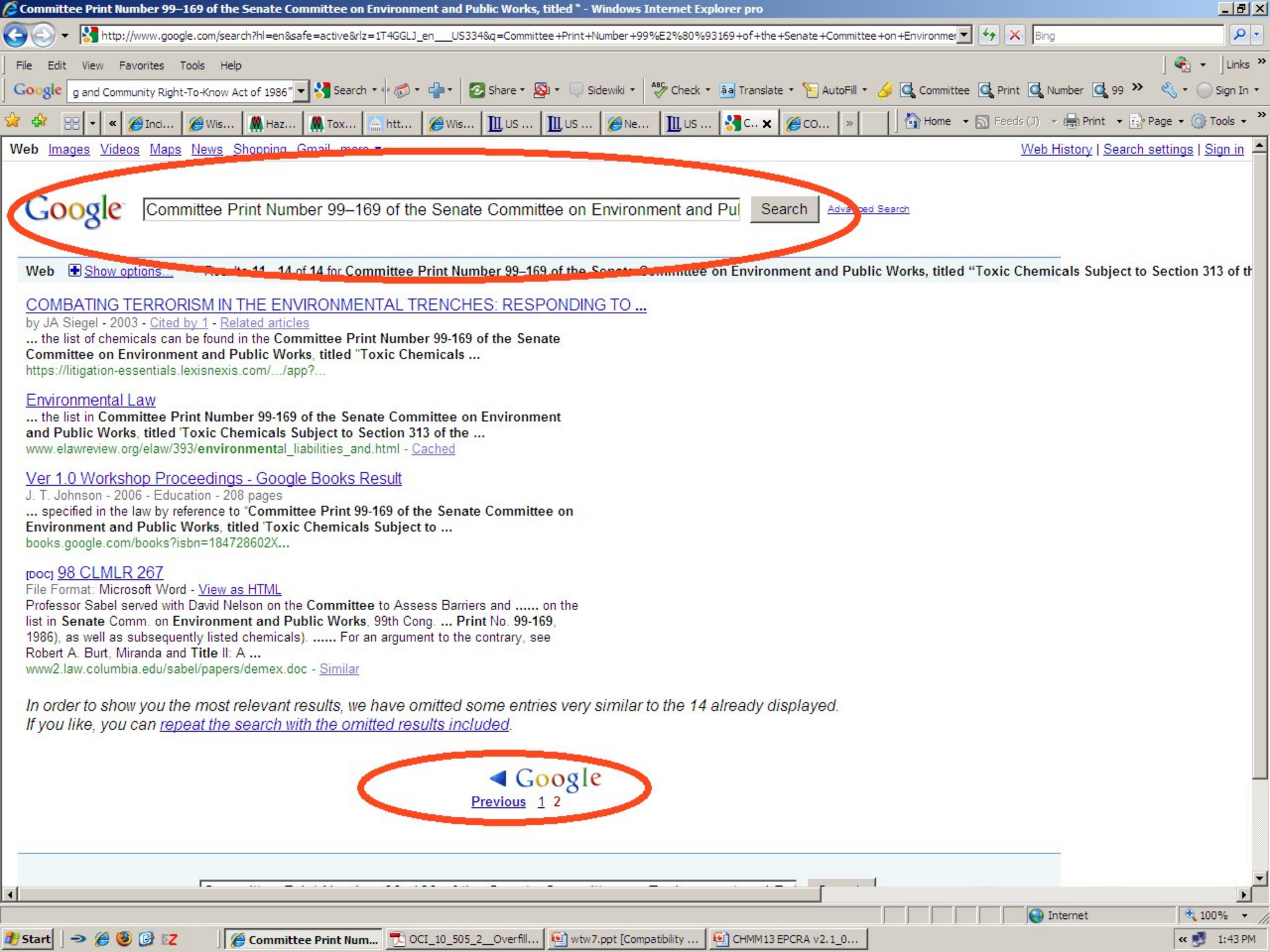
# Toxic Chemical Release Reporting

From: WI Stat 323.60 Hazardous substances information and emergency planning. (1) DEFINITIONS.

(k) “Toxic chemical” means a toxic chemical covered under 42 USC 11023 (c)

42 USC 11023 (c)

(c) **Toxic chemicals covered** The toxic chemicals subject to the requirements of this section are those chemicals on the list in Committee Print Number 99–169 of the Senate Committee on Environment and Public Works, titled “Toxic Chemicals Subject to Section 313 of the Emergency Planning and Community Right-To-Know Act of 1986” [[42 U.S.C. 11023](#)] (including any revised version of the list as may be made pursuant to subsection (d) or (e) of this section).



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... the list in Committee Print Number 99-169 of the Senate Committee on Environment and Public Works, titled "Toxic Chemicals Subject to Section 313 of the Clean Air Act of 1986"  
[www.elawreview.org/elaw/393/environmental\\_liabilities\\_and.html](http://www.elawreview.org/elaw/393/environmental_liabilities_and.html) - Cached

[Ver 1.0 Workshop Proceedings - Google Books Result](#)

J. T. Johnson - 2006 - Education - 208 pages  
... specified in the law by reference to "Committee Print 99-169 of the Senate Committee on Environment and Public Works, titled "Toxic Chemicals Subject to Section 313 of the Clean Air Act of 1986"  
[books.google.com/books?isbn=184728602X...](http://books.google.com/books?isbn=184728602X...)

[\[doc\] 98 CLMLR 267](#)

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Professor Sabel served with David Nelson on the Committee to Assess Barriers and ..... on the list in Senate Comm. on Environment and Public Works, 99th Cong. ... Print No. 99-169, 1986), as well as subsequently listed chemicals). ..... For an argument to the contrary, see Robert A. Burt, Miranda and Title II: A ...  
[www2.law.columbia.edu/sabel/papers/demex.doc](http://www2.law.columbia.edu/sabel/papers/demex.doc) - Similar

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# LIST OF LISTS



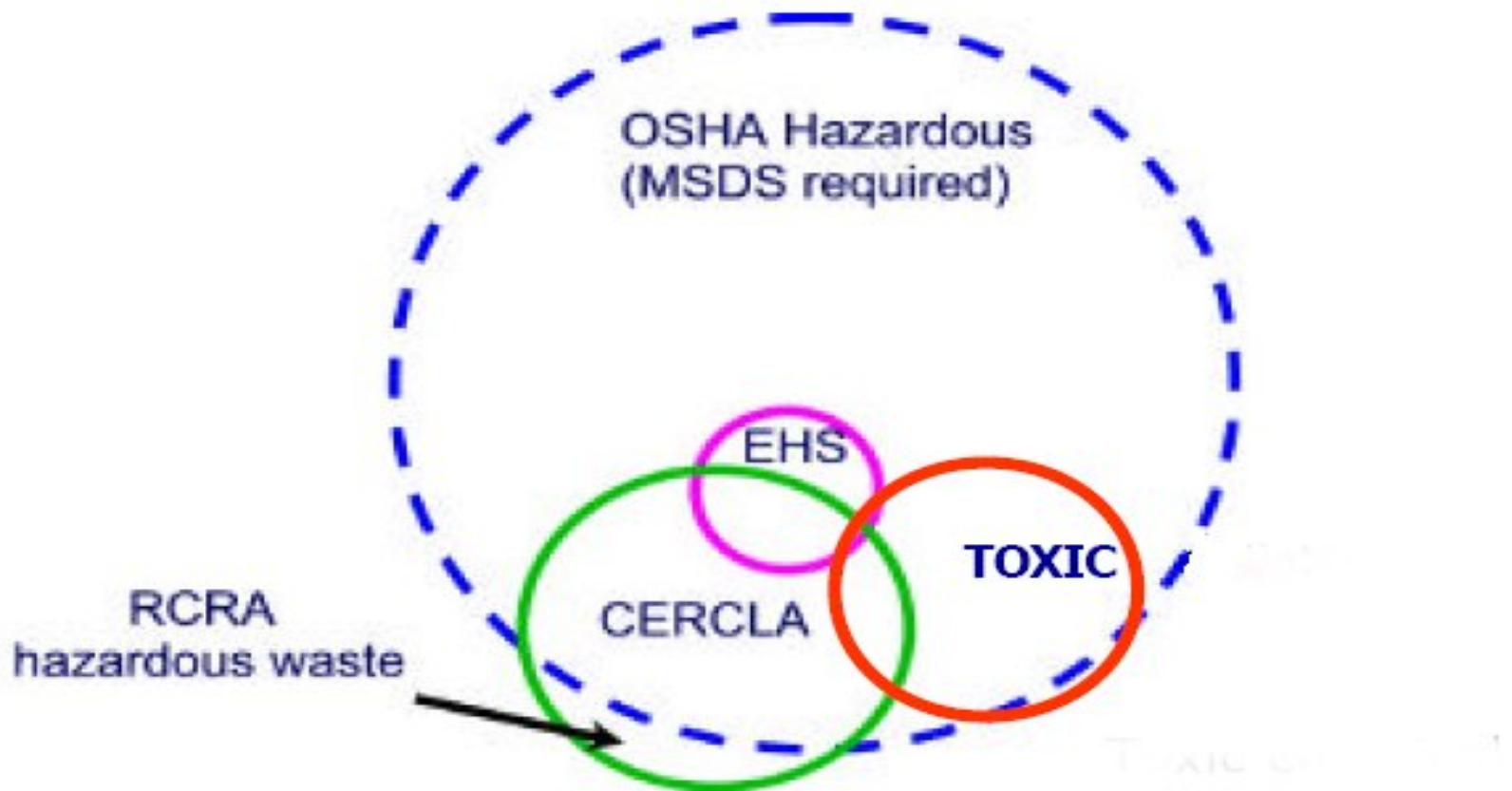
Consolidated List of Chemicals  
Subject to the  
Emergency Planning and  
Community Right-To-Know Act  
(EPCRA) and Section 112(r) of  
the Clean Air Act

- EPCRA Section 302 Extremely Hazardous Substances
- CERCLA Hazardous Substances
- EPCRA Section 313 Toxic Chemicals
- CAA 112(r) Regulated Chemicals For Accidental Release Prevention

NAME	CAS/ 313 Category Codes	Section 302 (EHS) TPQ	Section 304 EHS RQ	CERCLA RQ	Section 313	RCRA CODE	CAA 112(r) TQ
2-Acetylaminofluorene	53-96-3			1	313	U005	
Nicotine	54-11-5	100	100	100	313c	P075	
Nicotine and salts	54-11-5			100	313c	P075	
Pyridine, 3-(1-methyl-2-pyrrolidinyl)-,(S)-	54-11-5	100	100	100		P075	
Aminopterin	54-62-6	500/10,000	500				
N-Nitrosodiethylamine	55-18-5			1	313	U174	
Benzamide	55-21-0				313		
Fenthion	55-38-9				313		
O,O-Dimethyl O-(3-methyl-4-(methylthio) phenyl) ester, phosphorothioic acid	55-38-9				X		
Nitroglycerin	55-63-0			10	313	P081	
Diisopropylfluorophosphate	55-91-4	100	100	100		P043	
Isofluorphate	55-91-4	100	100	100		P043	
Methylthiouracil	56-04-2			10		U164	
Carbon tetrachloride	56-23-5			10	313	U211	
Cantharidin	56-25-7	100/10,000	100				
Bis(tributyltin) oxide	56-35-9				313		
Parathion	56-38-2	100	10	10	313	P089	
Phosphorothioic acid, O,O-diethyl-O-(4- nitrophenyl) ester	56-38-2	100	10	10	X	P089	
3-Methylcholanthrene	56-49-5			10	313+ <sup>A</sup>	U157	
Diethylstilbestrol	56-53-1			1		U089	
Benz[a]anthracene	56-55-3			10	313+ <sup>A</sup>	U018	
Coumaphos	56-72-4	100/10,000	10	10			
Cyanides (soluble salts and complexes)	57-12-5			10	313c	P030	
1,1-Dimethyl hydrazine	57-14-7	1,000	10	10	313	U098	15,000
Dimethylhydrazine	57-14-7	1,000	10	10	X	U098	15,000
Hydrazine, 1,1-dimethyl-	57-14-7	1,000	10	10	X	U098	15,000
Strychnine	57-24-9	100/10,000	10	10	313c	P108	
Strychnine, and salts	57-24-9			10	313c	P108	
Pentobarbital sodium	57-33-0				313		
Phenytoin	57-41-0				313		
Physostigmine	57-47-6	100/10,000	100	100		P204	
beta-Propiolactone	57-57-8	500	10	10	313		
Physostigmine, salicylate (1:1)	57-64-7	100/10,000	100	100		P188	

# All Substances Covered by SARA Title III

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## Related Rules & Regulations

166.20 WI Stats. (WEM)

292.11 WI Stats. (WIDNR Spill Requirements)

CERCLA

Pollution Prevention Act



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## Other Resources

<http://www.epa.gov/compliance/civil/epcra/epcraenfstatreq.html>

<http://www.epa.gov/emergencies/tools.htm#lol>

<http://www.epa.gov/tri/>

<http://www.epa.gov/OEM/content/epcra/index.htm>



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## Other Resources

<http://www.dnr.state.wi.us/Org/aw/rr/archives/pubs/RR604.pdf>

<http://emergencymanagement.wi.gov/docview.asp?docid=94>



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Questions?