



The Emergency Planning and Community Right-to-Know Act (EPCRA)

Objectives

Terminal Objective

Given the Environmental Laws and Regulations course manual as a reference, you will be able to:

- **Explain how the Emergency Planning and Community Right-to-Know Act (EPCRA) requirements impact the DOE and its relationship with State and local governments and the public.**

Objectives

Enabling Objectives

- **Describe EPCRA Subtitles A and B.**
- **List the three programs mandated by EPCRA Sections 301, 312, and 313.**
- **Explain the role of State Emergency Response Commissions and Local Emergency Planning Committees.**
- **Describe the reporting requirements outlined under EPCRA.**

Overview

Congress passed the Emergency Planning and Community Right-to-Know Act (EPCRA) as Title III of the Superfund Amendments and Reauthorization Act (SARA).



Overview

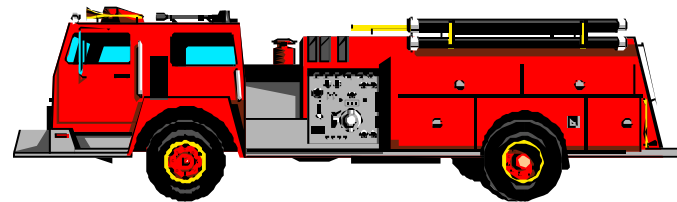
Enacted on October 17, 1986, EPCRA is a separate, free-standing law designed to address concerns about the effect of chemical releases on communities.



Overview

EPCRA:

- **Expands the role of citizens and State and local governments in emergency planning processes**
- **Emphasizes the importance of emergency response planning and training programs**



Overview

- **Contains provisions for emergency preparation and chemical risk management in local communities**
- **Ensures that the general public has access to information about chemicals present in their communities**



EPCRA's Subtitles

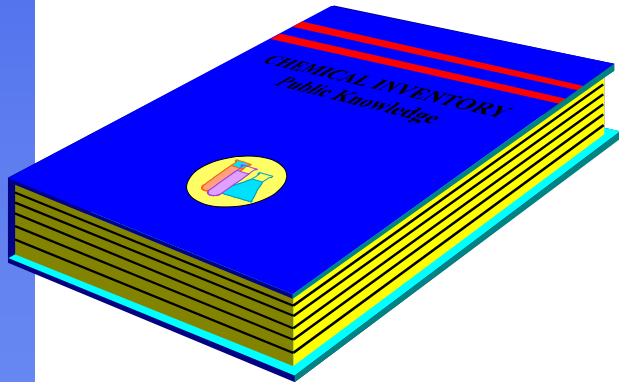
EPCRA has two main subtitles:

- **Subtitle A**
 - **Requires the development of comprehensive local emergency response plans for chemical release situations**
 - **Imposes new reporting requirements for chemical releases**



EPCRA's Subtitles

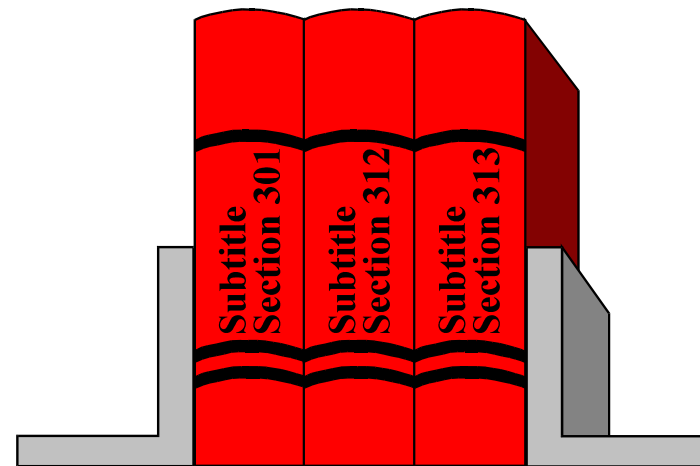
- **Subtitle B**
 - **Imposes new community right-to-know reporting requirements that make virtually all chemical inventory information available to the public**



Sections 301, 312, and 313

The law is essentially made up of the following three distinct programs:

- **Section 301**
- **Section 312**
- **Section 313**



Section 301

Section 301:

- **Calls on communities to develop plans for responding to the release of any hazardous chemicals from a nearby facility**
- **Requires the creation of State and local planning committees that work with industry officials to develop response plans**

Section 312

Section 312:

- **Contains community right-to-know provisions that grant local emergency response personnel and the public access to information on chemicals present in local facilities**
- **Chemical data must be included on material safety data sheets under Occupational Safety and Health Administration (OSHA) regulations**

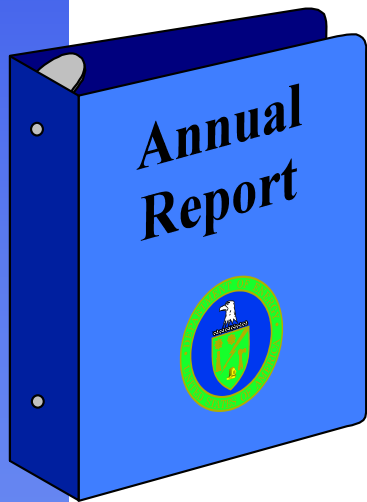
RCRA Chemical Storage Facility at Oak Ridge



Section 313

Section 313

- **Requires companies to provide the Environmental Protection Agency (EPA) and State officials with an annual accounting of toxic chemicals that are routinely released into the environment**



SERCs

EPCRA mandates the establishment of State Emergency Response Commissions (SERCs) by the Governor of each State who oversee State implementation of EPCRA.



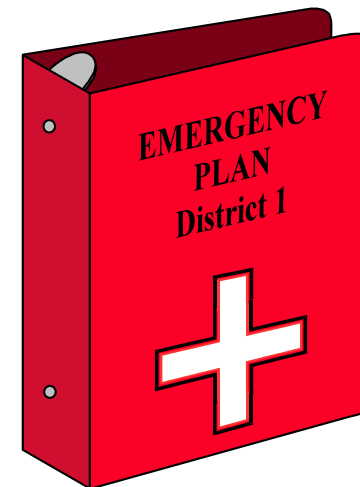
LEPCs

Each SERC must designate emergency planning districts and appoint Local Emergency Planning Committees (LEPCs) for each district.



LEPCs

Each LEPC must write an emergency plan for its district, and the SERC makes recommendations and reviews each plan under its jurisdiction.

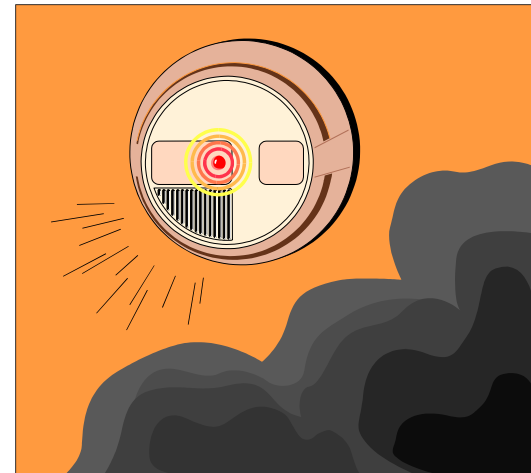


EPCRA 17

LEPCs

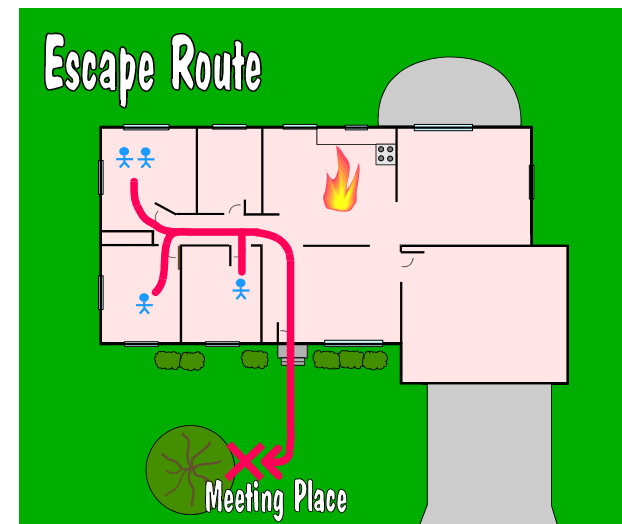
Each LEPC emergency plan must include:

- **Facilities covered and transportation routes**
- **Responsible personnel**
- **Notification procedures**



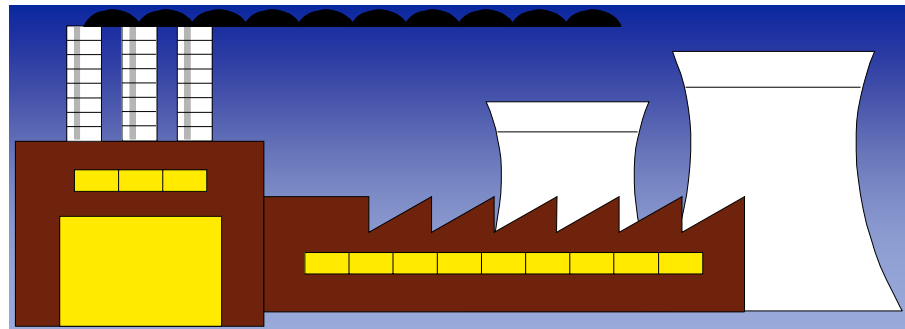
LEPC Emergency Plans

- **Methods for estimating releases and areas likely to be affected**
- **Emergency equipment and facilities**
- **Evacuation plans**
- **Training**
- **Exercises**



Reporting Requirements

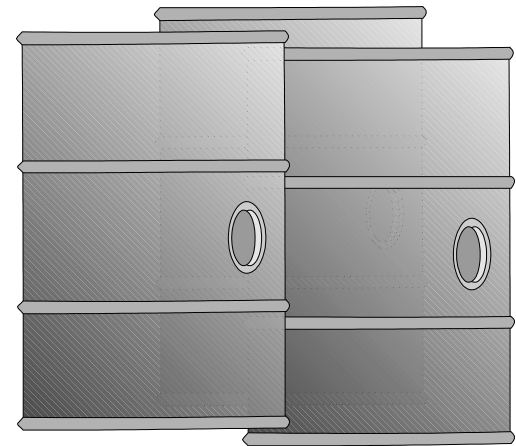
All companies are required to report to the SERC the identity of each facility containing any substance on the EPA's list of extremely hazardous substances in an amount that meets or exceeds the established threshold planning quantity.



Reporting Requirements

**Appendices A and B of 40 CFR Part 355
include a list of:**

- **Extremely hazardous substances**
- **Threshold planning quantities**



Reporting Requirements

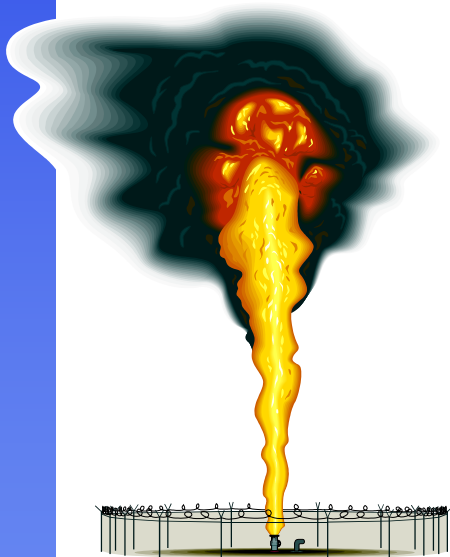
Affected facilities must:

- **Provide information necessary for developing and implementing State and local emergency response plans**
- **Designate an emergency response coordinator to assist the LEPC in developing the local emergency plan**



Reporting Requirements

EPCRA:



- **Establishes reporting requirements to provide information on hazardous chemicals for affected communities**
- **Contains requirements to inform the general public and communities about toxic chemical releases**

Reporting Requirements

Facilities are responsible for notifying the SERC that the facility is subject to the emergency planning requirements of EPCRA.



Reporting Requirements



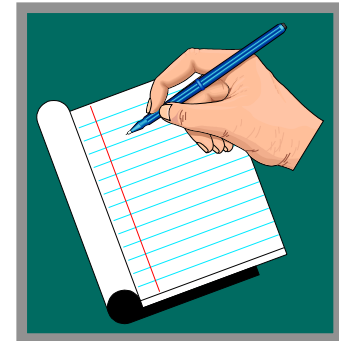
Facilities subject to EPCRA emergency release notification requirements must notify the LEPC and SERC in the event of a release of a reportable quantity of:

- **Any extremely hazardous substance**
- **Any Comprehensive Environmental Response, Compensation, and Liability Act hazardous substance**

Reporting Requirements

Hazardous substance releases must be reported by:

- **An immediate oral notification, and**
- **A subsequent written report**



Federal Facilities



Executive Order 12856 requires:

- **Federal facilities to participate in EPCRA planning**
- **Federal facilities to limit their use of extremely hazardous chemicals**

Review Question

Prior to the passage of the Emergency Planning and Community Right-to-Know Act, DOE did not share information with stakeholders—all DOE information was regarded as “classified”.

- a. True**
- b. False**