

EPCRA Sections 311

Emergency Planning and Community Right-to-Know Act (EPCRA) Hazardous Chemical Storage Reporting Requirements

Section 311 reporting is the submission of either a Safety Data Sheet (SDS) or a list of reportable chemicals under Section 312 of SARA Title III (stored chemicals in quantities greater than or equal to the minimum threshold levels), grouped by hazard category. If at any time after the initial submission (i) a facility obtains a new unreported substance, (ii) a hazardous chemical present at a facility meets or exceeds its threshold level for the first time, or (iii) significant new information concerning the hazards of a chemical stored by a facility is communicated via a revised SDS, then either an updated list or the relevant SDS must be sent to the Indiana Emergency Response Commission (IERC), appropriate Local Emergency Planning Committee (LEPC), and local fire department. This supplemental information is due within 90 days of receiving the new chemical or information.

What facilities are covered?

Any facility required under Occupational Safety and Health Administration (OSHA) regulations to maintain SDSs for hazardous chemicals stored or used in the work place. Facilities with chemicals in quantities that equal or exceed the following thresholds must report:

- For Extremely Hazardous Substances (EHSs)(40 CFR part 355), either 500 pounds or the Threshold Planning Quantity (TPQ), whichever is lower.
- For gasoline (all grades combined) at a retail gas station, the threshold level is 75,000 gallons (or approximately 283,900 liters), if the tank(s) was stored entirely underground and was in compliance at all times during the preceding calendar year with all applicable Underground Storage Tank (UST) requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.
- For diesel fuel (all grades combined) at a retail gas station, the threshold level is 100,000 gallons (or approximately 378,500 liters), if the tank(s) was stored entirely underground and the tank(s) was in compliance at all times during the preceding calendar year with all applicable UST requirements at 40 CFR part 280 or requirements of the State UST program approved by the Agency under 40 CFR part 281.
- For all other hazardous chemicals: 10,000 pounds.

EPCRA Sections 311

Emergency Planning and Community Right-to-Know Act (EPCRA) Hazardous Chemical Storage Reporting Requirements

What is a hazardous chemical?

Hazardous chemicals are any substances for which a facility must maintain a SDS under the OSHA [Hazard Communication Standard](#), which lists the criteria used to identify a hazardous chemical. SDSs are detailed information sheets that provide data on health hazards and physical hazards of chemicals along with associated protective measures. Over 500,000 products have SDSs which are normally obtained from the chemical manufacturer.

What are facilities required to do?

Under the Emergency Planning and Community Right-to-Know Act (EPCRA) Section 311, facilities must submit the same SDSs they maintain for OSHA to the IERC, LEPC, and local fire department. Or, facilities may choose to submit a detailed list of the same chemicals instead. This is a one-time submittal; facilities have three months after becoming subject to the OSHA regulations to submit their material at <https://tier2.dhs.in.gov/Account/Login.aspx>

