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Leadership for a Safe and Secure Indiana

TO: Local Emergency Planning Committee (LEPC) Chairs

FROM: Ian Ewusi, Indiana Emergency Response Commission (IERC) Field Representative

DATE: January 13, 2010

SUBJECT: SARA Title Reporting III—Emergency Planning and Community Right-to-Know Act (EPCRA) Sections 302, 304, 311 & 312

You may already be aware of the US Environmental Protection Agency's (EPA) final rule on 40 CFR Parts 355 and 370 posted in the November 3, 2008, Federal Register. The rule provides amendments to emergency planning and notification (EPCRA section 302), emergency release notification (EPCRA section 304) and hazardous chemical reporting (EPCRA sections 311 & 312). The amendment provides the flexibility for states and LEPCs to collect EPCRA information from facilities in a specified format, including electronic. States and/or LEPCs may request that additional hazardous chemical information needed to develop emergency plans for communities be submitted in specific formats, but each format should at the very least contain/require the information required on the federal Tier II form.

In an effort to improve the efficacy of EPCRA reporting and make the process of submitting the required information easier, simpler, quicker, and more up-to-date with today's technology, the State of Indiana instituted an online method of reporting. Since January 2009, all EPCRA section 302, 311 and 312 online reporting to the state has been done via the [myIDEM](#) regulatory services portal. The system allows past and first-time online filers access to previous years' reporting on chemical inventories and other facility information for edits/updates. Facilities reporting by any method for the first time are also able to use this system.

All facilities must submit a signed Indiana Electronic Subscriber Agreement (IESA) form to IDEM before submitting any online reports. Facilities must go to www.idem.IN.gov/5964 to begin the process of completing the IESA; after completion and verification, they will be approved to use the online reporting system. Please note that the state no longer accepts facility submissions in the *Tier2 Submit* format, and the IERC has instituted MANDATORY online submission of 2010 Tier II reports.

LEPCs currently accepting reports in the *Tier2 Submit* format may still require facilities in their counties to continue using this format, as supported by EPA's final rule. Additionally, the state is currently working to institute a one-step reporting process that entails facilities' reporting to the state, and the state's submitting the EPCRA reports to respective LEPCs and fire departments on the facilities' behalf. Instituting the new reporting system, requiring only electronic reports, and providing a one-time submission method for facilities would promote the following:

- Reduce or eliminate the "facility burden" associated with multiple EPCRA reporting
- Eliminate the bulky paper copies generated
- Streamline the reporting process
- Reduce the manpower required by facilities and the state to manage the submitted EPCRA records
- Provide electronic records for all reporting facilities that allows access for edits and updates at any time
- Allow facility chemical inventory information to be passed directly to LEPCs and fire departments

More information on reporting requirements is available on IDEM's [CRTK Reporting website](#) or at www.in.gov/idem/5285.htm.

Thank you for your cooperation and assistance in this matter. If there are any questions or comments, please contact me at iewusi@dhs.in.gov or 317-695-2119.