

EPCRA Section 304

Emergency Planning and Community Right-to-Know Act (EPCRA) Emergency Release Notification Requirements

Section 304 of SARA Title III details the requirements for a facility's reporting of accidental releases of hazardous substances which will migrate off site. The release of any Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) hazardous substance or any Extremely Hazardous Substance (EHS) in excess of the established reportable quantity (RQ) for the substance must be reported immediately.

If an accidental chemical release exceeds the applicable minimal reportable quantity, the facility must notify the Indiana Emergency Response Commission (IERC) and the National Response Center (NRC) for any area likely to be affected by the release.

The facility must provide a detailed written follow-up as soon as practicable. Information about accidental chemical releases must be made available to the public.

What facilities and chemicals are regulated under the emergency release notification requirements?

Any facility that accidentally releases into the environment one of the following types of chemicals in an amount greater than or equal to the minimum RQ as required by the Emergency Planning and Notification regulation.

EHSs—Emergency Planning and Notification, 40 CFR part 355

CERCLA hazardous substances Designation, Reportable Quantities, and Notification, 40 CFR part 302

What chemicals are regulated?

The consolidated list of chemicals (list of list) which provides a list of chemicals subject to:

- Emergency Planning and Community Right-To-Know Act (EPCRA)
- CERCLA defined hazardous substances
- Section 112(r) of the Clean Air Act (CAA)
- Toxics Release Inventory (TRI) chemicals, and
- Toxic and Flammable Substances for Accident Release Prevention.

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What are facilities required to do?

Verbal Report—Upon the accidental release of a hazardous substance, a facility shall immediately notify appropriate LEPC, the SERC, and the NRC by telephone or radio, or in person. Emergency notification requirements involving transportation incidents can be met by dialing 911, or in the absence of a 911 emergency number, calling the local operator. The addresses and telephone numbers are as follows:

1. Indiana Emergency Response Commission (IERC)(888) 233-7745 (toll free in-state)
(317) 233-7745 (local or out-of-state)
2. Community Emergency Coordinator or appropriate contact of the LEPC in the area where the release occurred (see LEPC contact list)
3. The National Response Center (NRC)
(800) 424-8802

Written Report— A written follow-up notice must be submitted to the IERC at <https://tier2.dhs.in.gov> LEPC (see LEPC contact information at) as soon as practicable after the release. The follow-up notice must update information included in the initial notice and provide information on actual response actions taken and advice regarding medical attention necessary for citizens exposed.

- What must be included in the emergency notification?
- The chemical name
- An indication of whether the substance is extremely hazardous
- An estimate of the quantity released into the environment
- The time and duration of the release
- Whether the release occurred into air, water, and/or land
- Any known or anticipated acute or chronic health risks associated with the emergency, and where necessary, advice regarding medical attention for exposed individuals
- Proper precautions, such as evacuation or sheltering in place
- Name and telephone number of contact person