

### **Sara Title III General Reporting Information Guide**

Businesses or industries that store, manufacture, or transport hazardous substances and materials fall under the reporting requirements of SARA Title III (Public Law 99-499), also known as the Emergency Planning and Community Right To Know Act (EPCRA). The Environmental Protection Agency is the enforcement arm for this legislation, and as such, has the authority to inflict fines and penalties upon businesses and industries for non-compliance. The Apache County Emergency Management Department is the repository for all SARA Title III information reported by businesses and industries in the Apache County area. According to the legislation, there are specific documents which businesses and industries must complete. Following is a brief overview of the legislation, and the information which the Apache County Emergency Management Department and LEPC requires businesses and industries to submit:

#### **Subtitle A: Emergency Planning And Notification**

*SECTION 302, Paragraph (c):* This provision in the law requires a facility to notify the State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC) by letter if it has one or more extremely hazardous substance(s) above the Threshold Planning Quantity (TPQ). Each facility which meets this specification must notify the SERC and the LEPC that their facility is subject to the requirements of Section 302.

*SECTION 303, Paragraph (c):* The facilities which are subject to the requirements of Section 302, Paragraph (c), must submit or have on file at the LEPC a current Uniform Emergency Response Plan (UERP). This UERP must be reviewed annually to ensure the accuracy of the plan.

*SECTION 303, Paragraph (d):* A letter designating a Facility Emergency Coordinator who will participate in the planning process is required. This information may be included in the letter required by Section 302, Paragraph (c).

*SECTION 304, Paragraph (b):* This provision in the law requires that community officials be immediately notified if a release of an Extremely Hazardous Substance or a CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) hazardous substance occurs outside the site boundary and would include any material released to the air, soil, or off the property. Sites need to report only if the released amount is equal to or in excess of the reportable quantity. The reportable quantity specifications are found in the EPA's publication: Title III Lists of Lists. If you spill any amount of an EHS or a CERCLA chemical, please let us know. We are willing to assist you in any way possible.

#### **Subtitle B: Reporting Requirements**

Subtitle B applies to any hazardous chemical for which your facility is required to prepare or have available a Material Safety Data Sheet (MSDS).

*SECTION 312, Paragraph (a):* The Tier II Form must be used for reporting extremely hazardous substances and other hazardous substances which meet the following criteria:

- Extremely Hazardous Substances:* Your facility must report if you have one or more extremely hazardous substance(s) at or above the threshold planning quantity or 500 pounds, whichever quantity is the least
- Other Hazardous Substances:* Your facility must report if you have one or more other hazardous substance(s) equal to or in excess of 10,000 pounds

**Submission Of Tier II Reports And Uniform Emergency Response Plans** Businesses and industries which manufacture, store, or transport Extremely Hazardous Substances identified in the US Environmental Protection Agency's Title III List of Lists, or otherwise meets the requirements stipulated under Section 312, Paragraph (a), are required to submit a Tier II Report by March 1 of each year. Businesses and industries which exceed the established limits set by EPA on the manufacturing, storing, or transporting of Extremely Hazardous Substances are also required to submit a Uniform Emergency Response Plan.

These reports must be submitted to the Apache County Emergency Management Department and the Fire Department having jurisdiction of your business or industry, and to the Arizona Emergency Response Commission.