

# REGION 6 LEPC Update



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**T**hree articles for you this month. The first announces the new CAMEO Suite of software for LEPCs. Remember, if your community is interested in CAMEO training, contact Angie at her email: [angie.rothen@westonsolutions.com](mailto:angie.rothen@westonsolutions.com)

The second one discusses carbon, hydrogen and oxygen. It is designed to be FUN and spark the interest of first responders as a refreshing refresher on basic chemistry concerning elements which often endanger them. Fred Cowie, a friend of LEPCs for years, developed the article. Fred has a multitude of presentations he can share with local, state, federal, and industry partners. Visit his website for more information: [fredcowie@aol.com](mailto:fredcowie@aol.com)

The third article summarizes the federal release reporting requirements under CWA 311, CERCLA 103 and EPCRA 304. These reporting regulations ensure that LEPCs, local officials, States, and federal agencies receive information on major releases in a timely manner, so that appropriate response decisions can be made.

Steve & Angie

**New CAMEO® RMP Facilities: Use CAMEO to calculate the worst case and alternate case scenarios  
Emergency Responders: CAMEO provides information critical for developing emergency plans**



**N**oAA and EPA announce the availability of a new CAMEO® and updated CAMEO Chemicals website!! CAMEO supports importing of Tier2 Submit 2008 files, including facility site plans in graphic formats or as .PDF or Word documents.

CAMEO's chemical library has been replaced with the CAMEO Chemicals program, which works interactively with CAMEO 2.0, ALOHA, and MARPLOT.

Continued on next page

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CAMEO is a system of software applications used widely to plan for and respond to chemical emergencies. Over 15,000 response and planning entities use CAMEO and related software to help protect their communities.

CAMEO is developed by EPA's Office of Emergency Management, and the NOAA' Office of Response and Restoration, to assist decisions during hazardous materials releases, and planning for those incidents. Response and planning officials can use CAMEO to access, store, and evaluate information critical for developing emergency plans.



CAMEO also supports regulatory compliance by helping users meet the chemical inventory reporting requirements of EPCRA.

CAMEO also can be used with a separate software application called LandView to display EPA environmental databases and demographic/economic information to calculate the worst case and alternate case scenarios as required for CAA 112r Risk Management Facilities.



The CAMEO system integrates a chemical database and a method to manage the data, an air dispersion model, and a mapping capability. All modules work interactively to share and display critical information in a timely fashion.



The CAMEO system is available in Macintosh and Windows formats.

A new version of MARPLOT is also available. MARPLOT 4.0 incorporates web-mapping services and supports the use of shapefiles and a variety of raster formats.

You'll be able to click on a location of interest to get its elevation and an instant weather forecast, and you can work with Landview-like population functions.

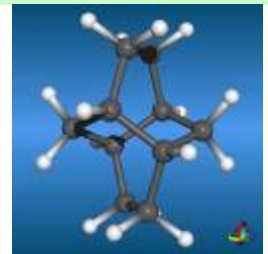
As you work with the new version, the latest U.S. Census county maps, and state and national map layers will automatically download. You can access all these valuable products by:

- Download CAMEO 2.0 from [http://www.epa.gov/oem/content/ cameo/request.htm](http://www.epa.gov/oem/content/cameo/request.htm)
- Download the new CAMEO Chemicals program from [http:// response.restoration.noaa.gov/cameochemicals](http://response.restoration.noaa.gov/cameochemicals)
- Visit the CAMEO Chemicals website at <http://cameochemicals.noaa.gov>

## Ten\* Carbon, Hydrogen and Oxygen Facts That Will Help Responders

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**I**ndustrial chemists and organic chemists might tell you hundreds or even thousands of interesting and important things about hydrogen, carbon, oxygen, hydrocarbons, carbohydrates, oxides, organic compounds, etc. However, as a first responder, your brain might explode, your memory might give up, and your eyes might glaze over.



Yet a mere ten things, given the Pareto Principle, should be quite handy in eighty percent of hazmat responses. And besides, who could come up with a good excuse not to look at just ten things. So here goes!

\*For more fun things based on simple hydrocarbons, start with methane and work your way up, trying: form-ic acid (from *formica*, ant, thus ant-acid?), form-ate, form-aldehyde, and chloro-form; acet-ic acid (from *acetum*, vinegar, yielding even the anatomists' acetabulum, the vinegar-cup looking hip socket), acet-ate, and acet-one; and acryl-ic acid, acryl-ate and my personal sticky favorite, cyano-acryl-ate. Or, jump to butane and pentane to sniff out putrescine and cadaverine. Or, snake around with Kekulé to benzene, phenol, toluene, and even TNT!



1. Carbon loves to combine with oxygen and form carbon dioxide,  $\text{CO}_2$  (and sometimes carbon monoxide,  $\text{CO}$ ), releasing energy and expanding, needing more room as a gas.  
Example, coal dust explosions
2. When carbon is in a hydrocarbon molecule, the oxidation is multiplied, lots of energy is released, and more gases ( $\text{CO}_2$  along with  $\text{H}_2\text{O}$  vapor) are made.  
Example: Internal combustion engines.

3. When carbon is in a carbohydrate molecule, more oxidation can take place, also giving off  $\text{CO}_2$  along with  $\text{H}_2\text{O}$ .  
Examples: Elevator, sugar/flour mill explosions, barn fires and human metabolizing.

4. Hydrogen too can be oxidized, giving off  $\text{H}_2\text{O}$  vapor, and releasing energy in the process.  
Example: The Hindenburg explosion, not to mention modern fuel cells.

5. Hydrogen loves to combine and form gas and liquid molecules.  
Example:  $\text{H}_2\text{O}$ ,  $\text{NH}_3$ ,  $\text{HF}$ ,  $\text{HCl}$ ,  $\text{HBr}$ , and  $\text{HI}$ .



Imperial Sugar Explosion, 2008

6. Oxygen loves to combine, period!  
Examples: Dust explosives (aluminum, magnesium, coal, flour, sugar, etc.), flammable liquids, flammable gases, rust, etc.
7. Oxygen-hydrogen functional units, as alcohol or hydroxyl ions, are everywhere.  
Examples, alcohols and hydroxides.
8. Hydrocarbons (HCs), and alcohols (-OHs) make good solvents and energy sources and can be found everywhere you might respond to.  
Examples: garages, RVs, barns, hardware stores, delivery trucks, tankers, eighteen wheelers, truck stops, filling stations, car wrecks, home improvement centers, and wally worlds.

9. Meth labs are great places to find lots of the above. Examples:

- $\text{HCl}$  gas is used to make methamphetamine hydrochloride;
- $\text{HI}$  gas sometimes is accidentally made when iodine is used in the Red P/Iodine method;
- volatile hydrocarbons are used as solvents and sometimes vaporized;
- ammonia is present when using the ammonia/lithium method;
- alcohols are often used as solvents;
- sodium hydroxide is used as a base;
- and don't forget carbon-based, oxygen-using,  $\text{CO}_2$  and  $\text{H}_2\text{O}$  producing organisms.



10. One carbon-hydrogen-oxygen molecule, with the alternative names hydroxyethane or ethyl hydrate, CAS No. 64-17-5, with the molecular formula is  $\text{C}_2\text{H}_5\text{OH}$  and the empirical formula  $\text{C}_2\text{H}_6\text{O}$ , is responsible for numerous, if not the majority of deaths in transportation, industrial and domestic incidents. It has been involved in countless career busting incidents. It has killed innumerable individuals, families and responders. It is as toxic as it is flammable, addictive as it is ubiquitous. It has been tied to prefrontal cortex, limbic system and brain stem dysfunction and has been known to affect responders' judgment. Incidents involving this product should be strictly monitored.

Also known as ethanol, the "active ingredient," one might say, in beer, whiskey, wine, and in my case, far too many brandy manhattans.

# Federal Release Reporting Requirements (CERCLA 103, EPCRA 304, CWA 331)



## CWA REPORTING

If a facility or vessel discharges oil to navigable waters or adjoining shorelines, or which may affect natural resources under exclusive U.S. authority, the owner/operator is required to follow certain federal reporting requirements.

These requirements are found under Section 311 of the Clean Water Act, and codified in two EPA regulations - 40 CFR part 110, Discharge of Oil regulation, and 40 CFR part 112, Oil Pollution Prevention regulation.

The Discharge of Oil regulation provides the framework for determining whether an oil discharge to inland and coastal waters or adjoining shorelines should be reported to the National Response Center.



The Oil Pollution Prevention regulation, part of which is commonly referred to as the "SPCC rule," identifies certain types of discharges from regulated facilities that also need to be reported to EPA.

Any person in charge of a vessel or of an onshore or offshore facility is subject to the reporting requirements of the Discharge of Oil regulation if it discharges a harmful quantity of oil to U.S. navigable waters, adjoining shorelines, or the contiguous zone, or which may affect natural resources under exclusive U.S. authority.



A harmful quantity is any quantity of discharged oil that violates state water quality standards, causes a film or sheen on the water's surface, or leaves sludge or emulsion beneath the surface.

For this reason, the Discharge of Oil regulation is commonly known as the "sheen" rule.

Note that a floating sheen alone is not the only quantity that triggers the reporting requirements. Under this regulation, reporting oil discharges does not depend on the specific amount of oil discharged, but instead can be triggered by the presence of a visible sheen created by the discharged oil or the other criteria described above.

A facility should report discharges to the National Response Center (NRC) at 1-800-424-8802. The NRC is the federal government's centralized reporting center, which is staffed 24 hours per day by USCG personnel.

If reporting directly to NRC is not practicable, reports also can be made to the EPA regional office or the USCG Marine Safety Office (MSO) in the area where the incident occurred.

Any person in charge of a vessel or an onshore or offshore facility must notify NRC immediately after he or she has knowledge of the discharge.



NRC will ask a caller to provide as much information about the incident as possible including:

- Name, organization, and telephone number
- Name and address of the party responsible for the incident
- Date and time of the incident
- Location of the incident
- Other information to help emergency personnel respond to the incident
- Source and cause of the discharge
- Types of material(s) discharged
- Quantity of materials discharged
- Danger or threat posed by the discharge
- Number and types of injuries (if any)
- Weather conditions at the incident location



NRC relays information to an EPA or U.S. Coast Guard On-Scene Coordinator (OSC), depending on the location of the incident.

After receiving a report, the OSC evaluates the situation and decides if federal emergency response action is necessary.

If a facility is regulated under the SPCC rule and has a reportable discharge according to EPA regulations (see below), it must be reported to both NRC and EPA.

Any facility owner/operator who is subject to the SPCC rule must comply with the reporting requirements found in §112.4.

A discharge must be reported to the EPA Regional Administrator (RA) when there is a discharge of:

- More than 1,000 U.S. gallons of oil in a single discharge to navigable waters or adjoining shorelines
- More than 42 U.S. gallons of oil in each of two discharges to navigable waters or adjoining shorelines occurring within any twelve-month period



When determining the applicability of this SPCC reporting requirement, the gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines, not the total amount of oil spilled.



The owner/operator must provide the following:

- Name and location of the facility
- Owner/operator name
- Maximum storage/handling capacity of the facility and normal daily throughput
- Corrective actions and countermeasures taken, including descriptions of equipment repairs and replacements
- Adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary
- Cause of the discharge to navigable waters, including a failure analysis
- Failure analysis of the system where the discharge occurred
- Additional preventive measures taken or planned to take to minimize discharge recurrence
- Other information the RA may reasonably require

An owner/operator must also send a copy of this information to the agency or agencies in charge of oil pollution control activities in the state in which the facility is located.

The EPA Regional Administrator will review the information submitted by the facility and may require a facility to submit and amend its SPCC Plan.

A state agency may also make recommendations to EPA for a facility to amend its Plan to prevent or control oil discharges.



## CERCLA 103 / EPCRA 304 REPORTING



Section 103 of CERCLA requires the "person in charge" of a facility or vessel, as soon as he or she has knowledge of a release of a hazardous substance in an amount equal to or greater than an RQ, to report the release immediately to the NRC. The NRC number is 1-800-424-8802.

Determining who is the person in charge depends on a number of variables, including the specific operation involved, the management structure, and other case-specific considerations.

The management of the affected organizations should designate the specific individual(s) or position(s) responsible for reporting releases.



Under section 304 of EPCRA, the "owner or operator" of a facility is required to report immediately to the appropriate SERCs and LEPCs when there is a release of a CERCLA hazardous substance or of an EHS at or above the RQ.

EPCRA section 304 allows either the owner or operator of a facility to give notice after a release.

Owners and operators may make their own arrangements concerning which party is to provide release notification; however, under EPCRA section 304 both the owner and operator are responsible if no notification is provided.

CERCLA section 101(9) defines facility broadly to include any site or area where a hazardous substance is located, but the definition specifically excludes consumer products in consumer use.

Vessel is defined in CERCLA section 101(28) as any watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

EPCRA section 329(4) defines facility to include stationary structures on a single site, or on contiguous or adjacent sites owned or operated by the same person.

For purposes of release reporting under EPCRA section 304, motor vehicles, rolling stock, and aircraft are included in the definition of facility.

However, the only covered facilities are those that produce, use, or store a "hazardous chemical."



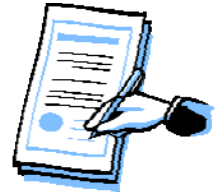
When reporting a release to the NRC under CERCLA 103 (40 CFR 302.6), the person making the report should provide as much of the following information as possible:

- Name, address, and telephone number of the person reporting and the responsible party;
- Specific location of the incident;
- Date and time the incident occurred or was discovered;
- Name of the chemical/material released;
- Source and cause of the release;
- Total quantity discharged;
- Medium into which the substance was discharged;
- Amount spilled into water;
- Weather conditions;
- Name of the carrier or vessel, the railcar/truck number, or other identifying information;
- Number and type of injuries or fatalities;
- Whether an evacuation has occurred;
- Estimation of the dollar amount of property damage;
- Description of current and future cleanup actions; and
- Other agencies notified or about to be notified.

EPCRA 304 (40 CFR 355) directs that notice include the following information, if known, and if inclusion will not cause a delay in responding to the emergency:

- Chemical name or identity of the released substance(s);
- Whether the substance is an EHS;
- Estimate of the quantity of the substance released;
- Time and duration of the release;
- Media into which the release occurred;
- Associated health risks and medical attention necessary for exposed individuals;
- Precautions to take due to the release; and
- Name and telephone number of contact person for further information.

As soon as practicable after this initial notice, EPCRA 304(c) requires the facility owner or operator to submit written follow-up notices providing and updating the initial notice's information and including



- additional information regarding response actions taken,
- any known or anticipated acute or chronic health risks associated with the release, and,
- where appropriate, advice on medical attention for exposed individuals.

Remember, most of our States have adopted the federal reporting requirements and reportable quantities, but may also have additional reporting requirements and RQs for non-listed materials. Contact your State LEPC Coordinator or State Environmental Officer for details on the State reporting requirements.

### General Questions & Answers



*Who must be notified of a release under EPCRA?*

The notice required by section 304 of EPCRA is to be given by the owner or operator of a facility (by telephone, radio, or in person) immediately after the release of a CERCLA hazardous substance or of an EHS at or above the RQ.

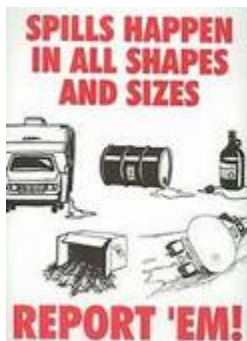
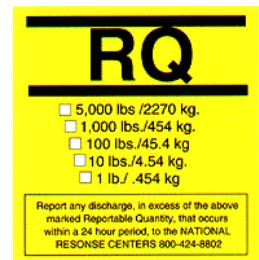
Notice is to be given to both the community emergency coordinator for each LEPC for any area likely to be affected by the release and to the SERC of any State likely to be affected by the release.

Notice requirements for transportation-related releases are satisfied by dialing 911 or, in the absence of a 911 number, calling the operator and providing the release information.

*When is a release reportable to State and local response authorities?*

EPCRA State and local emergency notification requirements apply to the release of a CERCLA hazardous substance or an EHS in an amount equal to or greater than their RQs.

EPCRA exempts from State and local reporting releases that result in exposure to persons solely within the site or sites on which a facility is located.



*Are reports made to State and local government agencies relayed to the NRC and, if so, does the original call satisfy reporting requirements under CERCLA 103?*

Although reports are sometimes passed on to the NRC by State and local government agencies, a person responsible for reporting under CERCLA relies on such State or local "relay" of information at his or her own risk.

This relay of information does not automatically satisfy CERCLA reporting requirements and state or local agencies cannot be responsible for an individual's compliance with a Federal statute.

CERCLA 103(a) specifically requires the person in charge of a vessel or facility to report immediately to the NRC a release of a hazardous substance whose amount equals or exceeds the assigned RQ.

If the appropriate information is not received within an appropriate timeframe at the NRC, the person responsible for CERCLA reporting still may be found not to have complied with the section 103 notification requirements.

*Would the NRC need to be notified of a release of a hazardous substance in an amount equal to or exceeding an RQ at a Federal facility?*

Yes. Under CERCLA section 120, all requirements of CERCLA apply to the Federal government in the same manner and to the same extent that they apply to any non-governmental entity.

Therefore, even if the Superfund site is a Federal facility, the section 103 notification requirements apply.

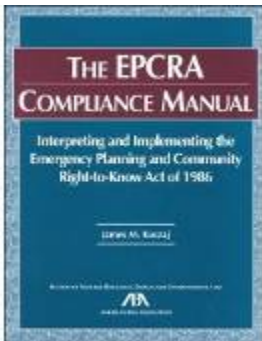


*CERCLA section 103 release reporting requirements apply to "hazardous substances." How are CERCLA hazardous substances defined?*

CERCLA section 101(14), as amended, defines "hazardous substance" by referencing other environmental statutes, including:

- CWA sections 311 and 307(a);
- CAA section 112;
- RCRA section 3001; and
- TSCA section 7.

CERCLA section 102(a) also gives EPA authority to designate additional hazardous substances not listed under the statutory provisions cited above. There are currently about 800 CERCLA hazardous substances. In addition, there are approximately 1,500 known radionuclides, approximately 760 of which are listed individually in 40 CFR 302.4.



*EPCRA section 304 release reporting requirements apply to CERCLA hazardous substances and EPCRA extremely hazardous substances (EHSs). What are EHSs?*

The EHS list was first compiled by EPA, and subsequently incorporated into EPCRA, to identify chemicals that could cause serious irreversible health effects from accidental releases. EHSs are listed in 40 CFR Part 355.

*How are EHSs related to CERCLA hazardous substances?*

There are currently about 360 EHSs defined under EPCRA section 302; over a third of them are also CERCLA hazardous substances.

Aside from this overlap of listed substances, CERCLA and EPCRA also have closely related notification requirements when releases of CERCLA hazardous substances occur.

*What is the relationship between CERCLA hazardous substances and the U.S. Department of Transportation's (DOT) Hazardous Materials Regulations?*

CERCLA section 306(a), as amended, requires the DOT to list and regulate as hazardous materials all CERCLA hazardous substances. Thus, all CERCLA hazardous substances are covered by the DOT's Hazardous Materials Regulations.

The DOT Hazardous Materials Regulations (see 49 CFR Parts 171 and 172) require that when these materials are shipped in quantities equal to or greater than their RQs, and are present in a single package, above certain concentration thresholds (49 CR 171.8), they must be identified as such on shipping papers and by package markings.





### *What is the CERCLA petroleum exclusion?*

The term "hazardous substance" is defined in CERCLA section 101(14) to include substances listed under four other environmental statutes (as well as those designated under CERCLA section 102(a)). The definition excludes "petroleum, including crude oil or any fraction thereof," unless specifically listed or designated under CERCLA.

### *What substances are specifically excluded from CERCLA regulation by the petroleum exclusion?*

EPA interprets CERCLA section 101(14) to exclude crude oil and fractions of crude oil including the hazardous substances, such as benzene, that are indigenous in those petroleum substances from the definition of hazardous substance.

Under this interpretation, petroleum includes hazardous substances that are normally mixed with or added to crude oil or crude oil fractions during the refining process.

This includes indigenous hazardous substances, the levels of which are increased as a normal part of the refining process.

However, hazardous substances that are added to petroleum or that increase in concentration as a result of contamination of the petroleum during use are not considered part of the petroleum, and are therefore regulated under CERCLA.

For example, releases of oils that have had hazardous substances added to them subsequent to the petroleum refining process are not excluded from CERCLA regulation. In addition, some oils are regulated under CERCLA because they are specifically listed.

For example, 40 CFR 302.4, Table 302.4 specifically lists a number of waste oils (e.g., F010, and K048 through K052) and their RQs. If these waste oils are released in quantities equal to or greater than their RQs, the release must be reported.

The definition of hazardous substance also excludes natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable for fuel.

### *How many RQ levels are there for CERCLA hazardous substances?*

For purposes of establishing RQ adjustments under CERCLA, EPA has adopted the five RQ levels of 1, 10, 100, 1,000, and 5,000 pounds originally established pursuant to CWA section 311 (40 CFR Part 117). The Agency adopted the CWA five-level system primarily because:

- (1) it had been successfully used for the CWA;
- (2) the regulated community was already familiar with these five levels; and
- (3) it provides a relatively high degree of discrimination among the potential hazards posed by different CERCLA hazardous substances.

### *How is the term "release" defined?*

CERCLA 101(22) defines "release" as any "...spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant)....".





*How is the term "environment" defined?*

CERCLA 101(8) defines "environment" as

- a. the navigable waters, the waters of the contiguous zone, and the ocean waters of which the natural resources are under the exclusive management authority of the United States under the Fishery Conservation and Management Act of 1976, and
- b. any other surface water, ground water, drinking water supply, land surface or subsurface strata, or ambient air within the United States or under the jurisdiction of the United States."

*Over what time period must an RQ of a hazardous substance be released for that release to be reportable?*

EPA has stated that the period during which the person in charge must measure whether an RQ or more has been released is 24 hours (50 FR13463, April 4, 1985). Reporting must occur immediately upon knowledge of the release.

*Is there a concentration cutoff below which it is not necessary to report a release, even though an RQ might have been exceeded over a 24-hour period?*

No. There are no concentration cutoffs for the RQs (i.e., a lower-bound concentration below which reporting would not be required).

Unless permitted or exempted, the release of an RQ or more of a hazardous substance must be reported, regardless of the concentration of the substance released.



Notification of releases of hazardous substances that equal or exceed an RQ, even those with relatively low concentrations, is mandated by CERCLA and EPA believes that such reports are essential to allow government personnel to decide whether a response action is necessary to protect public health or welfare or the environment.

*Are certain types of releases specifically excluded from reporting requirements under CERCLA?*

CERCLA section 101(22) specifically excludes from the definition of release:

- 
- Any release which results in exposure to persons solely within a workplace;
- Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine;
- Certain releases of source, byproduct, or special nuclear material from a nuclear incident; and
- Normal application of fertilizers.

The definition of facility under CERCLA 101(9) specifically excludes consumer products in consumer use. Releases from such products, therefore, are excluded from CERCLA reporting requirements.



Section 103 of CERCLA also exempts from CERCLA reporting requirements:

- Application of a pesticide product registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) or the handling or storage of such product by an agricultural producer;
- Release of a substance that is required to be reported (or exempted from reporting) under RCRA Subtitle C and has already been reported to the NRC under the Subtitle C regulations; and
- Federally permitted releases (these are also exempted from liability).

*Are any releases (in addition to the administratively exempted releases identified in question 53) specifically excluded from reporting requirements under EPCRA section 304?*

EPCRA section 304 exempts from State and local reporting releases that result in exposure to persons solely within the site or sites on which a facility is located. EPCRA defines "facility" differently from CERCLA.

EPCRA defines "facility" as "...all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person).

For purposes of section 304, the term includes motor vehicles, rolling stock, and aircraft..."

*Once a facility properly notifies the NRC, is it exempted from any liability for damages that the release may cause?*

No. Proper and timely reporting of a release in accordance with CERCLA section 103 does not preclude liability for cleanup costs, natural resource damages, and costs of any necessary health studies conducted under CERCLA section 104(l).

It does, however, eliminate potential penalties for failure to notify the NRC.

*If a facility releases a hazardous substance below its RQ level, could it be liable for damages caused by the release?*

Yes. A release of a CERCLA hazardous substance below its RQ does not preclude liability from any damages that may result, including the costs of cleaning up that release or for any natural resource damages, should such costs be determined to be appropriate under CERCLA or any other applicable law.



### **A Facility's Perspective on CERCLA / EPCRA Reporting**

CERCLA, or Superfund, gives the government authority to respond directly to hazardous material releases, and creates the framework within which the government can exercise its role.

Section 103 of CERCLA which addresses the responsibilities for notification of a release is of significant importance to facilities.

EPCRA expands upon the notification requirement to ensure that State and local responders are also called during certain spills and releases.

To allow for timely response to incidents involving hazardous substances, the law requires that immediate notification be made to the proper authorities.

Immediate notification is the specific responsibility of the owner or operator of the facility or vehicle or an individual who has been designated as the person in charge.

Although verbal reports are sometimes passed to the National Response Center by representatives of State and local government agencies, the person responsible for reporting under CERCLA or EPCRA relies on such State or local "relay" of information at his or her own risk.



This relay of information does not automatically satisfy mandated reporting requirements, and State and local agencies cannot be responsible for an individual's compliance with a Federal statute.

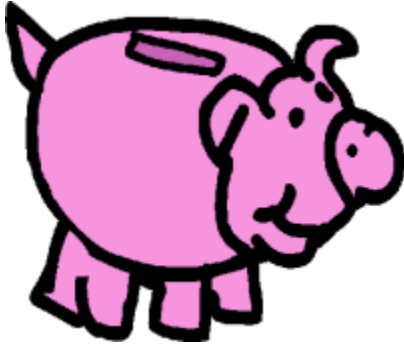


If the necessary information is not received in an appropriate timeframe, the person responsible for reporting may be out of compliance and subject to the payment of penalties.

There have been incidents in which a hazardous substance was released and the 911 operator made the notifications to the NRC, the SERC, and the LEPC (sometimes).

This notification method is apparently due to informal agreements between facilities and local government entities.

But as explained above, this does not satisfy reporting requirements of the person(s) responsible for the material released.



Why is it so important for the facility to make this notification? The most obvious reason is compliance with the law.

However, another apparent reason is that the facility could leave itself open to litigation from any number of parties simply by not being in compliance with the law; that is, by not properly notifying of a release.

If this situation exists in your community, be sure that the designated individual(s) understand that they must make the notifications, even though a 911 operator or other local government agency may have done so.

As situations present themselves, EPA appreciates SERCs and LEPCs getting the word out on the importance of facility and transporter representatives making these immediate notifications.

It is senseless for an owner of a facility to pay large penalties when these can easily be avoided by making a phone call.

## Region 6 Emergency Notification Numbers

Arkansas Dept. of Emergency Management	800-322-4012
Louisiana State Police	877-925-6595
New Mexico State Police	505-827-9126
Oklahoma Dept. of Environmental Quality	800-522-0206
Texas Environmental Hotline	800-832-8224
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National Response Center	800-424-8802
EPA Region 6	866-372-7745
CHEMTREC	800-424-9300