

United States
Environmental Protection
Agency

Region 10
1200 Sixth Avenue
Seattle, WA

Superfund

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 **EPA Emergency
Planning and
Community
Right-to-Know**

*What You Should Know
About Section 313 of
SARA Title III*



What You Should Know About Section 313 of SARA Title III - Emergency Planning and Community Right-to-Know

Toxic Chemical Release Reporting

Section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) requires regulated manufacturing facilities to submit annual reports concerning releases of certain toxic chemicals, both routine and accidental, that have occurred from their particular facilities during the preceding calendar year. These reports are submitted directly to an office of the state in which the facility is located and the Environmental Protection Agency (EPA) Headquarters in Washington, D.C. This new law requires that EPA make this information available to the public on a computer database and by other means.

These requirements will result in an annual inventory of certain toxic chemicals and the information will be used to build a historical record of emissions that occurred at specific facilities. That inventory will indicate facility-by-facility estimates of the quantity of these chemicals that have been released into the environment during the past year, and how much of those releases went into air, land, or water, or were transported offsite.

Many segments of industry already routinely report certain emissions data to EPA and the states as a result of the Clean Air Act, the Clean Water Act, the Resource Conservation and Recovery Act, and other statutes. This new requirement, however, is more comprehensive in terms of chemicals addressed, and insures that a facility's releases of a specific chemical to all media -- whether air, or water, or land--will appear on one form, and will be accessible to the public. These new reports are not replacements for other EPA reports, but provide more and different kinds of information. Because most facilities do not routinely monitor their releases, EPA is providing guidance to facilities to ensure that data they report are complete and accurate.

This reporting requirement covers manufacturing operations that have ten or more employees and that handle any of more than 300 toxic chemicals and chemical categories, in excess of specified quantities. For a facility that manufactures, imports, or processes any of the listed toxic chemicals, the reporting quantity was 75,000 pounds in 1987. It drops to 50,000 pounds for 1988, and will go down even further for 1989, and thereafter, to 25,000 pounds. If a listed chemical is used in some other way, the reporting quantity is 10,000 pounds for any reporting year. Facilities are required to report on listed chemicals even if the chemicals are present in mixtures or are trade name products.

The first toxic chemical release reports, covering calendar year 1987, were due by July 1, 1988, and are required annually thereafter by July 1. In order to help ensure timely and accurate reporting, this new law specifies substantial penalties -- up to \$25,000 per day per violation -- for those facilities which fail to comply with the requirements of Section 313. Approximately 70,000 reports from more than 16,000 facilities were received for the 1987 reporting year. The Agency will use these data to create the computerized Toxic Release Inventory, which will be ready for public access by the spring of 1989.

Like the other information reported under this Act, these data are available to the public through State designated offices or EPA Headquarters. The information is of course accessible to the Local Emergency Planning Committees (LEPCs), who may put it together with other information for a more complete picture of the hazardous materials present in their districts.

For detailed information concerning this section, consult the Federal Register, Tuesday, February 16, 1988 (40 CFR 372) or the following contacts:

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