



## EPCRA Sections 302-303 Emergency Planning

*GECAP of the Georgia Tech Research Institute is a voluntary, non-regulatory environmental compliance program funded by the Georgia Legislature through the University System of Georgia.*

### What is Emergency Planning Notification?

The Emergency Planning and Community Right-to-Know Act (EPCRA) is also known as Title III of the Superfund Amendments and Reauthorization Act (SARA). Section 302 of EPCRA requires facilities to determine if they have any extremely hazardous substances (EHS) located on-site above a Threshold Planning Quantity (TPQ).<sup>1</sup> EPCRA §302 EHS and their corresponding TPQs can be found in the "[List of Lists](#)."<sup>2</sup> If a facility has an EHS that exceeds the TPQ, the owner or operator must submit a one-time notification to the Georgia State Emergency Response Commission (SERC) and the Local Emergency Planning Committee (LEPC) (if one exists in your community). If at any time a facility obtains or produces an EHS exceeding the TPQ, that facility must notify the SERC and LEPC within 60 days.

Section 303 of EPCRA requires LEPCs to prepare a local emergency plan for facilities that have EHSs in excess of the TPQs in their local planning district. These facilities must provide the LEPC with information (i.e., facility profile) necessary for developing and implementing the emergency plan.

### Criteria for submitting the facility profile information to the SERC and LEPC:

- Facility has an EHS on site that is subject to reporting under §302 and can be found in the SARA Title III "[List of Lists](#)"<sup>2</sup> (i.e., is a listed §302 chemical). The EHS list can also be found in 40 CFR Part 355, Appendices A and B; *and*
- The EHS exceeds the TPQ at any one time.

### How is an EHS quantity calculated?

If an EHS is present in a mixture, only the quantity (in pounds) of the EHS within the mixture applies toward the TPQ assessment. Refer to the Material Safety Data Sheet (MSDS) to determine the mixture component percentages. For instance, if a 100 pound mixture contains 20% by weight of an EHS, then the EHS is present at 20 pounds.

You do not have to count an EHS in a mixture if the concentration of that EHS is less than or equal to one percent.

### Where do facilities send the information?

Facilities must submit information to the SERC and the LEPC (if one exists in your community) for emergency planning under EPCRA §302. In Georgia the SERC does not provide a specific form for reporting under EPCRA §302. A facility should send notice, in writing, including:

- what EHS is stored,
- the Material Safety Data Sheet (MSDS) for the EHS,
- how much,
- where it is located,
- the company name, and
- the company's physical address.

Information must be mailed to the following address:

Judson H. Turner, Director  
Georgia Environmental Protection Division  
Director's Office  
2 Martin Luther King Jr Dr SE Ste 1456 East  
Atlanta, Georgia 30334-9074

The §302 submittal should be sent by certified mail, return receipt requested or some other traceable method.

### What are some example EHSs?

Some common EHSs and their 302 TPQs include ammonia (500 lbs), formaldehyde (500 lbs), chlorine (100 lbs), sulfuric acid (1,000 lbs), nitric acid (1,000 lbs), and phosphorus (100 lbs). TPQs refer to the cumulative total of each chemical stored at a facility. For instance, if a facility has 500 pounds of sulfuric acid used in wastewater treatment and 600 pounds of sulfuric acid in an electric fork lift battery, reporting is required because sulfuric acid is present at the facility over 1000 pounds, the TPQ.

### How is EHS reporting under EPCRA §302 different from EPCRA §312 reporting?

There are two main differences between EHS reporting associated with §302 and §312.

- First, an EHS in §302 is reportable if it meets or exceeds the TPQ. An EHS is reportable under §312 if it meets or exceeds the TPQ OR 500 pounds if 500 pounds is lower than the TPQ. For example, the TPQ of nitric acid is 1,000 pounds. For nitric acid to be reportable under §302, it must meet or exceed 1,000 pounds. However, nitric acid is reportable under §312 if it meets or exceeds 500 pounds. See the GECAP Tech Guide [EPCRA Sections 311 & 312: Hazardous Chemical Inventory](#) for

more information.

- Secondly, §302 is a one-time reporting of an EHS. §312 requires annual reporting of an EHS.

### For More Information

- EPCRA Hotline 800-424-9346 or 703-412-9810
- Contact the Georgia Environmental Compliance Assistance Program (GECAP) at Georgia Tech by calling 404-407-8082
- [Title 40 Code of Federal Regulations section 355 \(40 CFR 355\)](#)
- For related information see the following GECAP Tech Guides: [EPCRA Sections 311 & 312: Hazardous Chemical Inventory](#); [SARA Title III Section 313: Toxic Chemical Release Reporting Requirements](#); and [EPCRA](#).
- More information about LEPCs in Georgia can be found at the [Georgia Emergency Management Agency \(GEMA\)](#) website.

### Footnotes

<sup>1</sup> Threshold Planning Quantity, as defined by EPA, is the minimum amount of an EHS present on site at any one time that triggers emergency planning requirements.

<sup>2</sup> Title III "[List of Lists](#)" is a consolidated list of chemicals subject to the Emergency Planning and Community Right-to-Know Act (EPCRA) and §112(r) of the Clean Air Act.

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