



EPCRA Section 304 & CERCLA: Emergency Release Notification

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 the EPCRA Section 304 & CERCLA Emergency Release Notification?

The Emergency Planning and Community Right-to-know Act (EPCRA) § 304 requires a facility to report certain chemical releases. There are two categories of chemicals that require reporting under EPCRA §304: Extremely Hazardous Substance (EHS) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances. A release of either an EHS and/or a CERCLA hazardous substances which exceeds the reportable quantity (RQ) must be reported to the proper authorities. Both EHS RQs and CERCLA RQs can be found in the SARA Title III “[List of Lists](#).”

When is an emergency release reportable?

The reporting requirements for EHS and CERCLA hazardous substances differ.

When is an emergency release reportable for §304?

- If a facility has a chemical that is listed under the §304 column of the SARA Title III “[List of Lists](#)” (i.e. is a §304-listed chemical); **and**
- the facility has a release of the 304-listed chemical that exceeds the EHS RQ within a 24- hour period; **and**
- The release is exposed to the environment (air, water, land) off-site of the facility’s property; **then**
- The facility must immediately notify the Georgia State Emergency Response Commission ([SERC](#)) and the Local Emergency Planning Committee (LEPC). When is an emergency release reportable for CERCLA?

- If a facility has a chemical that is listed under the CERCLA column of the SARA Title III “[List of Lists](#)” (i.e. is a CERCLA-listed chemical); **and**
- the facility has a release of the CERCLA-listed chemical that exceeds the RQ within a 24-hour period; **and**
- The release is exposed to the environment (air, water, land) off-site OR on-site; **then**
- The facility must immediately notify the [SERC](#), LEPC, AND the National Response Center (NRC).

It is important to note that some chemicals are EHS and CERCLA hazardous substances which may or may not have the same RQs. Likewise, a chemical can be an EHS and not a CERCLA hazardous substance and vice versa.

Who should be notified if my facility has an emergency release of a listed chemical?

If you have a release of a §304-listed chemical into the environment outside of your facility’s boundary, and the release is equal to or greater than the RQ (within 24 hours), you are required to report the release to the [SERC](#) (Georgia Department of Natural Resources Emergency Operations Center), and the LEPC if one exists in your community. To report to the [SERC](#), call 800-241-4113 or 404-656-4300.

If you have a release of a CERCLA hazardous substance into the environment, on- or off-site, and the release is equal to or greater than the CERCLA RQ (within 24 hours) , you must also notify the

National Response Center (NRC) in Washington DC at 800-424-8802 in addition to the [SERC](#) and LEPC.

Verbal notifications must be made immediately after discovering the release. **WHEN IN DOUBT, CALL ALL AGENCIES.**

What verbal information will need to be provided to the agencies?

The immediate verbal notification should include as much of the below information as possible. However, the retrieval of this information should not delay the immediate verbal notification. Information to be provided includes:

- Name, street address, mailing address, and telephone number of facility and contact personnel;
- chemical name and indication of whether the substance is extremely hazardous;
- estimated quantity, location, time and duration of release;
- general description of the nature of the release (to air, water, or land) and location of areas affected by the release;
- summary of precautions to take as a result of the release (such as evacuation);
- any known or anticipated acute or chronic health risks associated with release; and, where appropriate, advice regarding medical attention necessary for exposed individuals.

Is written notification required?

Written notification should be sent to the Georgia [SERC](#) and your LEPC as soon as “practicable.” The written information should include all the information submitted in the verbal notification including any updates. In addition to the above, the written report must also include:

- summary of actions taken to investigate, clean up, or otherwise remediate the site;
- any known or anticipated acute or chronic health risks associated with release; and
- advice regarding medical attention necessary for exposed individuals.

What if I do not know what quantity of the EHS or CERCLA hazardous substance is released?

You must still report a release if you are unsure of the quantity released. The Georgia Oil or Hazardous Material Spills or Releases Act includes the requirement to report “unknown” quantities of EHS and CERCLA hazardous substances to the [SERC](#).

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
- The Code of Federal Regulations – [40 CFR 355.30](#)
- For related information see the following GECAP Tech Guides: [EPCRA Sections 311 and 312: Hazardous Chemical Inventory](#); [SARA Title III Section 313: Toxic Chemical Release Reporting Requirements](#); and [EPCRA](#).
- The EPA’s website – <http://www2.epa.gov/epcra/epcra-section-304>
- More information about LEPCs in Georgia can be found at the [Georgia Emergency Management Agency \(GEMA\)](#) website.

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