Final EPCRA rule for Hazardous Chemical Reporting Requirements

[EPA press release - October 9, 1987]

EPA Administrator Lee M. Thomas today signed the final rule for hazardous-chemical reporting requirements under Superfund Title III, Sections 311 and 312, the emergency-planning and community-right-to-know law.

Section 311 applies to owners or operators of facilities required to prepare or make available Material Safety Data Sheets (MSDS) for hazardous chemicals under the Occupational Safety and Health Administration regulations. An MSDS for each hazardous chemical on site or a list of MSDS chemicals must be provided to the state emergency response commission, the local emergency planning committee and the fire department with jurisdiction over the facility by October 17. The first-year minimum reporting is for hazardous chemicals that are produced, used or stored at or above a 10,000 pound quantity. Materials designated "extremely hazardous substances" because of their importance in terms of planning have a reporting threshold of 500 pounds or the threshold planning quantity, whichever is less.

The rule also consolidates the originally proposed 23 health and physical categories into five: acute and chronic health hazards, sudden release of pressure, reactivity and flammability as physical hazards. If a facility chooses the list option for the October submission, the hazardous chemical must be grouped by these five categories.

The Section 312 requirements apply to all those facilities that must comply with the Section 311 MSDS reporting requirements. Inventory-reporting forms containing aggregate information by hazard category, according to the same thresholds, must be submitted on March 1, 1988, and annually thereafter, to the same entities as the Section 311 submissions.

Complete information on the Section 311 and 312 requirements will be available in the final rule, to be published shortly in the Federal Register.