

**Superfund Amendments &
Reauthorization Act (SARA),
Title III,
Emergency Planning & Community
Right-to-Know Act (EPCRA)
Reporting in South Carolina**

The purpose of this publication is to briefly explain the major requirements of the legislation as it relates to facilities in South Carolina, and to offer guidance in obtaining additional information. For a more thorough analysis of Title III Laws and related regulations cited in this publication, we suggest you refer to the legislation in its entirety and the Code of Federal Regulations (40 CFR 350, 355, 370, & 372)

For Tier II and Extremely Hazardous Substances, contact:

The EPCRA Tier II Coordinator at:
(803) 898-4058
E-Mail: EPCRA@dhec.sc.gov

Should Your Facility Report?

Step 1: Do you have substances for which you keep Material Safety Data Sheets (MSDS) required by OSHA?

Step 2: Do you have 10,000 lbs or more of any one substance at any one time?

If you answered Yes to BOTH questions, Your facility must report under §311/312.

EPA free software, Tier II Submit is available on the internet from:

<http://www.epa.gov/oem/content/epcra/tier2.htm>

The Emergency Planning & Community Right-to-Know Act (EPCRA) requires facilities storing any substance for which a material safety data sheet (MSDS) is required by OSHA and in quantities exceeding the Threshold Planning Quantity (specified for Extremely Hazardous Substance or 10,000 pounds for everything else) to report them to the State, Local Emergency Planning Committees (LEPC's) and fire departments. The SC State Emergency Response Commission requires an annual submission of a Tier II report due March 1 from qualifying facilities. There are other provisions of the law, and the law itself should be consulted for proper compliance. The State of South Carolina will accept the Federal Tier II forms published on the [EPA Chemical Emergency and Preparedness](#) web site or a South Carolina specific Tier II form that can be found at the [South Carolina Emergency Management Division](#) web site. Facilities may submit whichever version of the Tier II form they prefer.

We strongly encourage the use of EPA's [Tier 2 Submit](#) software for reporting, especially if you have an extensive inventory or multiple sites. The SC State reporting point will accept the EPA's Tier 2 Submit2009 zipped export files on diskettes along with a cover letter from the company. We encourage also sending a simple printed or electronic site plan map/picture (8 1/2" X 11") showing container locations, entry points, etc. These do not have to be drawn to scale and should be number or letter coded, NOT COLOR CODED. We will also accept submittals via e-mail if it contains the same information as above (i.e., e-mail cover letter, zipped Tier II file, and JPEG or BMP site plan/picture as attachments) at EPCRA@DHEC.SC.GOV.

SC County LEPC's and local fire departments require all diskettes and site plans be mailed

to them along with a printed and signed copy of your Tier II report.

For more information, visit South Carolina Department of Health and Environmental Control's (SCDHEC) EPCRA website at

<http://www.scdhec.gov/environment/baq/tier2.aspx>

Step 3: Do you have Extremely Hazardous Substances in amounts equal to or above the Threshold Planning Quantity (TPQ), listed in the EPA *Title III List of Lists* or 500 lbs, whichever is lower? If so, your facility must report under §302, 311, & 312. Section 302 EHS reporting is a ONE-TIME only report consisting of a letter to the SCSERC Reporting Point, LEPC, and fire department notifying them of the presence of the product on site. The current List of Lists is available for download at:

<http://www.epa.gov/ceppo/pubs/title3.pdf>

Step 4: If you have unplanned or continuous releases of substances listed in the Title III List of Lists in amounts above the Reportable Quantity (RQ) you must report under §304 or Section 103 of CERCLA. If you import, manufacture, process or otherwise use any of the chemicals listed in 40 CFR 372.65 you may need to report under §313. Contact the EPCRA Toxic Release Inventory (TRI) Coordinator at: (803) 898-4064. The current List of Lists is available for download at:

<http://www.epa.gov/ceppo/pubs/title3.pdf>



Most retail gas stations will not be required to report under Federal law; LEPCs may still require them to report. The threshold levels for reporting gasoline and diesel fuel at retail stations are raised to 75,000 gallons for gasoline and 100,000 gallons for diesel fuel. Non-retail fuel storing facilities must still report inventory exceeding 10,000 pounds.

A copy of this handbook will be posted on the South Carolina Emergency Management Division's web site:

http://www.scemd.org/Library/EPCRA_Page.html

For additional guidance you may also wish to visit the SC SARA Title III and EPCRA Web sites that EMD and DHEC have created at

<http://www.scdhec.gov/environment/baq/tier2.aspx>

  **Reporting address** for the South Carolina State Emergency Response Commission is:

SCSERC EPCRA Reporting Point
2600 Bull St.
Columbia, SC 29201-1708