

**RELEASE NOTIFICATION
REQUIREMENTS IN
MICHIGAN**

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**RELEASE NOTIFICATION
REQUIREMENTS TABLE
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- **WHAT**
- **WHEN**
- **TO WHOM &**
- **HOW RELEASES MUST BE REPORTED**

A TOOL TO IDENTIFY POTENTIAL
REPORTING REQUIREMENTS **BEFORE** A
RELEASE OCCURS

WHAT IS A RELEASE?

- SPILL
- LEAK
- PUMP
- POUR
- EMIT
- EMPTY
- DISCHARGE
- INJECT
- ESCAPE
- LEACH
- DUMP
- DISPOSE

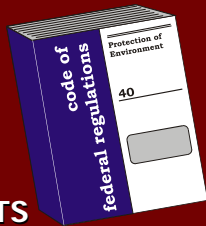


REMEMBER

- A SINGLE RELEASE MIGHT BE REPORTABLE UNDER MULTIPLE REGULATIONS
- TERMS MIGHT BE DEFINED DIFFERENTLY UNDER DIFFERENT REGULATIONS

ACT & REGULATION

- FEDERAL = CFR
 - Code of Federal Regulations
- STATE = PA
 - Public Act
- RULES
- REVISIONS
- OTHER REQUIREMENTS



REPORTING CRITERIA


- SUBSTANCE
- AMOUNT
- MEDIUM
- IMPACT
- SOURCE



SARA Title III Section 304

Reporting Criteria
Release of


- CERCLA Hazardous substance
- Extremely Hazardous Substance (EHS)



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EPA'S LIST OF LISTS

- CERCLA - Hazardous
- SARA Title III
EHS
Toxic (section 313)
- CAA - Extremely Hazardous Air Pollutant - section 112(r)



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LIST OF LISTS

www.michigan.gov/degrelease

Pdf = October 2001 version



Database = January 2005 version

See Appendix B for changes.

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LIST OF LISTS

- CAS = Chemical Abstracts Service number
- EHS = Extremely Hazardous Substance
- TPQ = Threshold Planning Quantity
- *RQ = Reportable Quantity*
- CAA = Clean Air Act
- TQ = Threshold Quantity
- *Amounts in POUNDS*

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LIST OF LISTS

Look up:

NITRIC ACID
CAS = 7697-37-2

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LIST OF LISTS
NITRIC ACID

- Section 302 (EHS) TPQ = ____
- Section 304 EHS RQ = ____
- CERCLA RQ = ____
- Section 313 = ____
- RCRA Code = ____
- CAA 112(r) TQ = ____

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CHEMICAL LISTS - STATE

- NREPA Part 31
Water Resources Protection
- Part 5 Rules
Spillage of Oil & Polluting Materials
- Table 1: Polluting Materials
TRQ = Threshold Reporting Quantity

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POLLUTING MATERIALS LIST

Look up: NITRIC ACID

➤ TRQ = _____

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EXAMPLE: NITRIC ACID RELEASE

WHEN IS A
RELEASE OF
NITRIC ACID
SUBJECT TO
REPORTING?



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**SARA Title III
Section 304**

NITRIC ACID RELEASE

- **CERCLA** Hazardous substance
- **Extremely Hazardous Substance (EHS)**
- **1000 lbs Nitric Acid** released to the environment and migrates beyond facility boundaries.

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**REGULATIONS THAT
REFERENCE CERCLA**

- **SARA Title III sect 304**
- **CERCLA sect 103**
- **NREPA Part 201**
- **49 CFR 171 (Transportation)**
- **CWA sect 311, 33 CFR 153**
- **NREPA Parts 211 & 213**

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REPORTING CRITERIA


**A SINGLE RELEASE MIGHT
BE REPORTABLE
(ENFORCEABLE)
UNDER MULTIPLE
REGULATIONS.**



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NREPA Part 31
NITRIC ACID RELEASE


- Polluting Materials (Part 5 Rules, Table 1)
- 100 lbs Nitric Acid released to water or sewage system



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REPORTING CRITERIA

- DIFFERENT REGULATIONS CAN HAVE **DIFFERENT REPORTABLE QUANTITIES** FOR THE SAME CHEMICAL.



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INITIAL NOTIFICATION – WHEN ?

- Immediate
- Within 24 hours
- As soon as practicable
- As soon as practical
- Within 8 hours
- Promptly
- As soon as possible

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INITIAL NOTIFICATION
*** Worst Case ***

**IMMEDIATE
MEANS
WITHIN 15 MINUTES
AFTER
DISCOVERY OF THE
RELEASE**

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**INITIAL NOTIFICATION –
TO WHOM ?**

- LEPC
- SERC
- NRC
- MDEQ (various divisions)
- PEAS
- MDA
- DLEG
- 911


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BOTTOM LINE

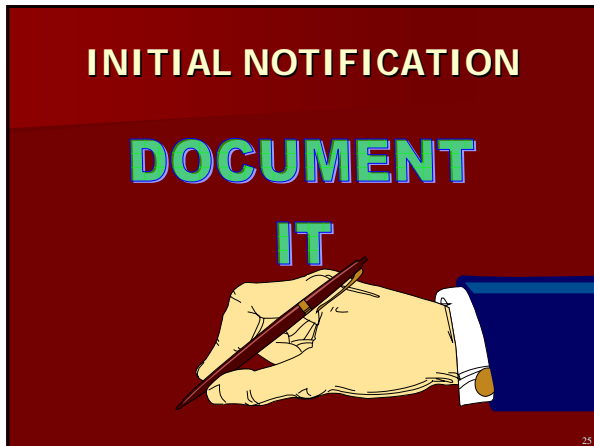
If there is a release,
IMMEDIATELY notify:

- **LOCAL** – 911
- **STATE** – PEAS
- **FEDERAL** – NRC

Then assess the situation and
make additional notifications
as required.



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WRITTEN FOLLOW-UP REPORT

AS SOON AS PRACTICABLE
MEANS
WITHIN 7 DAYS
AFTER
DISCOVERY OF THE
RELEASE

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NOTES

- PHONE NUMBERS
- CONTACTS



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RELEASE EXAMPLE

WHEN IS A RELEASE
OF **GASOLINE**
REPORTABLE UNDER
NREPA Part 201

?



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RELEASE EXAMPLE

**Reporting Criteria for
NREPA Part 201 =
Unpermitted release of a
hazardous substance
(2001 version of CERCLA list)**

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**EXAMPLE
GASOLINE RELEASE**

- Look up Gasoline on the List of Lists
- Look at the MSDS for Gasoline (Pg. 6-17)
- Are there any hazardous ingredients?

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**EXAMPLE
GASOLINE RELEASE**

How to determine when a release of gasoline is subject to reporting under **Part 201** based on reportable quantities of the ingredients.



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**EXAMPLE
GASOLINE RELEASE**

- 1.- Identify the hazardous ingredients, weight %, and corresponding Reportable Quantities. (The RQ depends on the regulation)
- 2.- Calculate the weight (pounds per gallon) of the gasoline.
- 3.- Calculate the smallest reportable release.

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GASOLINE RELEASE

1. Identify hazardous ingredients

- MSDS – Look for hazardous substances
- Benzene
- Weight % on MSDS = _____
- Look up Benzene on List of Lists
- CERCLA RQ for Benzene = _____

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GASOLINE RELEASE

2. Calculate weight of gasoline

Specific Gravity (relative density) on MSDS :
 _____ (use highest value)
 x 8.34 lb/gal (weight of water)
 = Weight of Gasoline in lb/gal

_____ x _____ lb/gal = _____ lb/gal

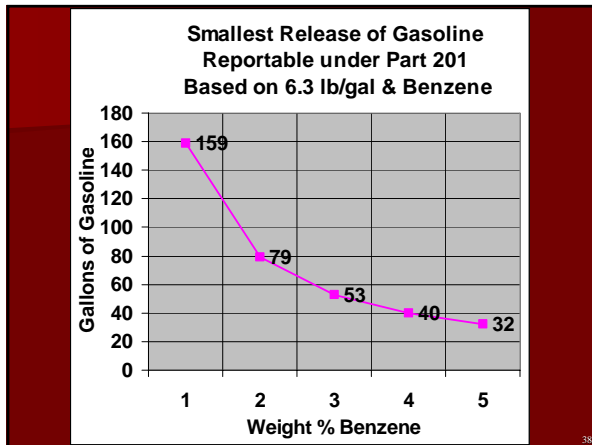
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GASOLINE RELEASE

3. Calculate smallest reportable release
(based on **Part 201** & Benzene)

10 lbs (RO Benzene)
 ÷ 6.3 lb/gal gasoline
 ÷ weight % Benzene
 = Gal of gasoline

1% Benzene → _____ gal gasoline
 5% Benzene → _____ gal gasoline



GASOLINE RELEASE

1. Identify hazardous ingredients

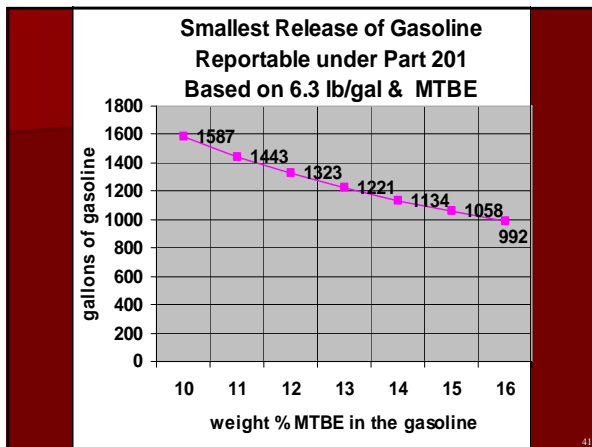
- From MSDS
- Methyl tert-butyl ether (MTBE)
- Weight % on MSDS = _____
- Look up MTBE on List of Lists
- CERCLA RQ for MTBE = _____

GASOLINE RELEASE

3. Calculate smallest reportable release
(based on **Part 201 & MTBE**)

1000 lbs (RQ MTBE)
÷ **6.3 lb/gal gasoline**
÷ **weight % MTBE**
= **Gal of gasoline**

10% MTBE → _____ gal gasoline
16% MTBE → _____ gal gasoline



GASOLINE RELEASE

➤ Which ingredient controls the reportable quantity under Part 201 of the gasoline?
Benzene or MTBE?

REPORTABLE RELEASE

- Different ingredients → different reportable release amounts.
- Use the ingredient that results in the smallest reportable release.

REPORTABLE RELEASE

- Different regulations → different reportable release amounts.
- If it reaches water, any amount of gasoline is reportable per the CWA & NREPA Part 31 (Part 5 rules).

REMEMBER TO KISS !

**THERE ARE NO
PENALTIES
FOR OVER-
REPORTING !**



IMPORTANT !

**ALL RELEASES
MUST BE
CLEANED UP**
– even if not
reportable.



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