

Release Notification Requirements in Michigan

While diligent efforts have been made to assure that the information provided in the following table is accurate and complete as of August 18, 2015, there is no guarantee that it covers all of the regulatory requirements for release notification and reporting in Michigan.

Chemical releases in Michigan are potentially reportable under one or more of twenty-seven different **state and federal regulations**. Determining which regulations apply to a specific release can be an overwhelming task. The “Release Notification Requirements in Michigan” table was compiled by the Michigan SARA Title III Program staff in the Department of Environmental Quality (DEQ) to help owners and operators of facilities in Michigan, including vehicles and farms, determine their potential notification and reporting requirements in the event of a chemical release.

Check your permits, licenses, registrations, pollution prevention plans, and local ordinances for *additional* release reporting requirements. In particular, all NPDES permits and most air permits have release reporting requirements in them that are not included on this table.

This table should be used as a tool to identify potential reporting requirements *before* a release occurs, and to identify follow-up reporting requirements based on the release. The table outlines **what** releases must be reported, **when** they must be reported, and **to whom** they must be reported.

What Is a Chemical Release?

The term “release” means spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing. “Chemical” includes substances considered to be toxic or hazardous as well as substances as seemingly harmless as salad oil.

Chemical Lists

The EPA published a consolidated list of chemicals subject to SARA Title III, CERCLA, section 112(r) of the Clean Air Act called the “List of Lists.” See the following EPA website for the List of Lists: <http://www2.epa.gov/epcra/epcracerclaa-ss112r-consolidated-list-lists-march-2015-version>

The “List of Lists” includes:

- **CERCLA Hazardous substances**, including **RCRA waste streams** and **unlisted hazardous wastes**, with reportable quantities (RQ) for releases (originally published in 40 CFR 302, Table 302.4).
- **SARA Title III Extremely Hazardous Substances (EHS)** with RQs for releases (originally published in 40 CFR 355).
- **SARA Title III Section 313 Toxic chemicals** (originally published in 40 CFR 372 Subpart D).

The Part 5 Rules, Spillage of Oil and Polluting Materials, were promulgated pursuant to Part 31 of Michigan’s Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). These rules include a list of “**polluting materials**” with threshold reporting quantities for releases.

NREPA Part 201 has been updated and now refers to the **2015 version of the CERCLA list** of hazardous substances.

NOx Exemption in CERCLA and SARA Title III

On **October 4, 2006**, EPA finalized an exemption for certain releases of emissions of NO and NO₂ (collectively NOx) to air from CERCLA and SARA Title III reporting requirements (71 FR 58525). The exemption was effective November 3, 2006, and applies to releases to the air of less than 1,000 pounds of NOx in 24 hours that are the result of combustion. The exemption also applies to emissions from combustion-related activities such as detonation or processes that include both combustion and non-combustion operations, such as nitric acid production.

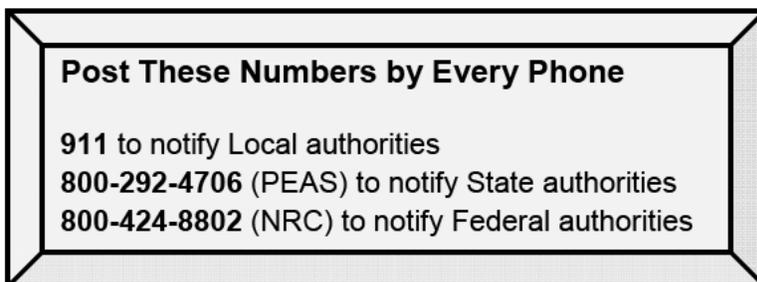
Petroleum Exclusion in CERCLA

Petroleum, including crude oil or any fraction thereof is excluded from the definitions of "hazardous substance," and "pollutant or contaminant" under CERCLA. Petroleum releases, accordingly, must generally be addressed under the authority of other law such as the underground storage tank (UST) provisions of RCRA, or the Clean Water Act (CWA). This exception, which has become known as the "**petroleum exclusion**," plays a significant role in CERCLA because many sites contain petroleum contamination. Petroleum frequently contains specific listed hazardous substances, the most common of which are benzene, toluene and xylenes. In general, such substances are not treated as CERCLA hazardous substances as long as they are found in refined petroleum fractions and are not present at levels that exceed those normally found in such fractions. Substances present in petroleum as a result of contamination during use or from mixing or combining are not within the petroleum exclusion and in such cases, the substances are considered CERCLA hazardous substances.

NREPA Part 201, Environmental Remediation, section 20114(1)(b) states that the requirements to report a release under this regulation apply to "reportable quantities of hazardous substances established pursuant to 40 CFR 302.4 and 302.6" This regulation references the listed hazardous substances published in the Code of Federal Regulations. It does not adopt the petroleum exclusion that applies to federal regulation of releases of CERCLA hazardous substances. As a result, petroleum constituents, including component substances such as benzene, toluene, and xylenes, plus any additives (e.g., MTBE, lead) are all reportable under Part 201 based on the reportable quantities in the 2015 version of the CERCLA list of hazardous substances published in 40 CFR 302.4 and 302.6.

Initial Notification: There is **NO PENALTY** for over-reporting!

When there is a release, determining if, when, and to whom it should be reported can be a daunting task even if you are familiar with the table. It is therefore recommended that **if there is a release, immediately call** the following three numbers even if the content or quantity of the released material has not yet been determined:



You can then respond to the release, reassess the situation, and make additional notifications as required (e.g. as specified in the table or in your permits). Your follow-up report will provide details that explain why a release was *or was not* reportable.

SARA Title III section 304 requires that the LEPC be notified immediately of a release. Many LEPCs accept the call to 911 as notification. Others require direct notification. Contact your LEPC in advance to find out their requirements.

Written Follow-up Report

Written follow-up report forms that are specified in the table are required by regulation. The DEQ has developed a generic written report form called “Spill or Release Report” (EQP 3465) that can be used to report releases of:

- Hazardous and extremely hazardous substances under SARA Title III,
- Hazardous waste under NREPA Part 111,
- Liquid industrial waste under NREPA Part 121,
- Hazardous substances under NREPA Part 201, and
- Polluting materials under NREPA Part 31, Part 5 Rules.

Hot Tip!

Use the generic Spill or Release Report form to record *initial* notifications.

Links to the release reporting forms and chemical lists referenced in the table are available on the DEQ SARA Title III Release Reporting website. Visit this site for updated DEQ and LEPC contact information.

NOTE: Executive Order 2012-14 transferred the DEQ storage tank program to the Bureau of Fire Services in LARA effective December 2, 2012. Phone numbers and email addresses associated with the storage tank program and staff have not changed.

For information regarding a specific regulation, contact the agency specified in the “notes” column of the table. If this is a DEQ division, contact the *district* division office.

General questions or comments regarding this table should be directed to the DEQ Environmental Assistance Center at 800-662-9278 or deq-assist@michigan.gov.

DEQ program information is available at www.michigan.gov/deq or you may contact the DEQ Environmental Assistance Center.

DEQ Release Reporting website:
www.michigan.gov/chemrelease

Acronyms are defined at the end of the table.

Release Notification Requirements in Michigan*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>SARA Title III Section 304 40 CFR 355.40 (EHS & Hazardous Substances)</p>	<p>Release of a CERCLA hazardous substance (40 CFR 302, Table 302.4) or Extremely Hazardous Substance (EHS) (40 CFR 355, Appendix A) from a facility (all buildings, equipment, etc. located on a single site or adjacent sites owned or operated by the same person) at which a hazardous chemical (as defined under 29 CFR 1910.1200(c)) is used, produced or stored (including motor vehicles, rolling stock, and aircraft) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hr period that migrates beyond the facility boundaries.</p> <p>Includes continuous release reportable under CERCLA Section 103.</p> <p>Excludes release that is federally permitted or that results in exposure to persons solely within the boundaries of the facility. See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p> <p>Excludes release < 1000 lbs of NO_x released to the air from combustion or combustion-related activities.</p>	<p>Immediate (within 15 minutes after discovery): to LEPC(s) of any area(s) potentially affected, and SERC (DEQ PEAS line accepts notification on behalf of SERC) by owner or operator.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08): Only CAFOs are required to report continuous releases to the air from animal waste.</p> <p>Transportation related releases can be reported to 911.</p>	<p>As soon as practicable (within 30 days) after release: to LEPC(s) and SERC.</p> <p>Not required for releases that occur during transportation or from storage incident to transportation.</p> <p>For continuous releases: Initial written within 30 days after initial telephone notification: to LEPC(s) and SERC.</p> <p>Michigan SARA Title III Program accepts reports on behalf of the SERC.</p>	<p>PEAS: 800-292-4706</p> <p>Contact your LEPC for a phone number to report releases.</p> <p>Call 911 if your LEPC is not active.</p> <p>For further information & LEPC contact information, contact Michigan SARA Title III Program 517-284-7272</p>
<p>CERCLA Section 103 40 CFR 302 (Hazardous Substances)</p>	<p>Release into the environment of a CERCLA hazardous substance (40 CFR 302, Table 302.4) or hazardous constituent in a mixture or solution (including hazardous waste streams) from a vessel or facility (any building, structure, etc. including motor vehicles, rolling stock, aircraft, pipe, pipeline, well, pond, lagoon, impoundment, ditch, landfill, or site where a hazardous substance has come to be located) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hour period.</p> <p>Excludes petroleum, including oil, or any fraction thereof.</p> <p>See 40 CFR 302.6 for notification requirements for radionuclide releases.</p> <p>Includes continuous release: occurs without interruption or abatement or that is routine, anticipated, and intermittent and incidental to normal operations or treatment processes.</p> <p>See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions. See 71 FR 58525 (10/4/06) re Exemption for NO_x releases to the air of < 1000 lbs from combustion or combustion-related activities.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p>	<p>Immediate (within 15 minutes after discovery): to NRC by person in charge of vessel or offshore or onshore facility.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08) re Exemption from reporting continuous releases to the air from animal waste.</p>	<p>For continuous releases only: Initial written within 30 days after initial telephone notification & Follow-up within 30 days of first anniversary of initial written notification: to EPA Region 5.</p>	<p>NRC 800-424-8802 or online at www.nrc.uscg.mil</p> <p>For further information contact Michigan SARA Title III Program 517-284-7272 or EPA's Superfund, TRI, EPCRA, RMP, and Oil Information Center 800-424-9346</p>

NOTE: If the release is a **THREAT TO HUMAN HEALTH or SAFETY**, call 911 or your local fire department.

*This table covers only those reporting requirements found in rules and regulations that apply in Michigan. Releases might be reportable under multiple regulations.

Additional reporting requirements might be found in **permits**, licenses, registrations, contingency and pollution prevention plans, and local ordinances.



Release Notification Requirements in Michigan*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>NREPA 1994 PA 451 Part 201, Environmental Remediation</p>	<p>(i) Unpermitted release into the environment over a 24-hour period of a hazardous substance (<i>July 1, 2012, edition</i> of the CERCLA list, 40 CFR 302, Table 302.4) in a quantity equal to or greater than its corresponding reportable quantity.</p> <p>Does not include release solely from UST systems regulated under Part 213, and release solely from disposal area licensed under Part 115 and discovered through disposal area's hydrogeological monitoring plan.</p> <p>Release of substance regulated by MI Dept of Agriculture & Rural Development (MDARD) (fertilizer, soil conditioner, or pesticide) excluding normal agricultural practices: <i>also</i> report to MDARD.</p>	<p>Within 24 hours after discovery: to DEQ-RRD district office (PEAS after hours) by owner or operator or person holding easement interest.</p> <p>Report agricultural release to MDARD.</p>	<p>Upon request: Provide a response activity plan to DEQ-RRD district supervisor.</p>	<p>PEAS: 800-292-4706</p> <p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>For further information contact DEQ-RRD</p>
<p>NREPA 1994 PA 451 Part 201, Environmental Remediation (Continued)</p>	<p>(ii) The owner or operator has reason to believe that one or more hazardous substances are migrating or have migrated from his or her property and are present beyond the property boundary at a concentration in excess of cleanup criteria for unrestricted residential use.</p> <p>(iii) The release is a result of an activity that is subject to permitting under NREPA Part 615 and the owner or operator is not the owner of the surface property and the release results in hazardous substance concentrations in excess of cleanup criteria for unrestricted residential use.</p> <p>Hazardous substance means a hazardous substance defined in CERCLA (40 CFR 302), hazardous waste as defined in NREPA part 111, petroleum as defined in NREPA part 213, or any substance demonstrated to pose an unacceptable risk to public health, safety, welfare, or the environment.</p> <p>Cleanup criteria for unrestricted residential use means criteria that satisfy the requirements in section 20120a(1)(a) or (16); or as defined under NREPA part 213.</p>	<p>Within 30 days after discovery: to DEQ-RRD district office and owners of property to which hazardous substances migrated or owner of surface property by owner or operator of property where release occurred.</p> <p>Specific form required for: "Notice of Migration of Contamination" (Form EQP4482).</p>	<p>Upon request: Provide a response activity plan to DEQ-RRD district supervisor.</p>	<p>For further information contact DEQ-RRD</p>

NOTE: If the release is a **THREAT TO HUMAN HEALTH** or **SAFETY**, call 911 or your local fire department.

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Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>NREPA 1994 PA 451 Part 83, Pesticide Control Regulation 640, Commercial Pesticide Bulk Storage (Agricultural)</p>	<p>Release to the environment of a commercial pesticide >5 gallons or 100 pounds.</p> <p>Reportable agricultural spills as defined in the provisions of SARA Title III section 304 and CERCLA section 103 shall be immediately reported to PEAS and the NRC.</p> <p>The term "release" excludes normal agricultural practices.</p>	<p>Immediate: to PEAS*</p> <p>Also notify NRC for spills reportable under SARA Title III & CERCLA.</p> <p>*MDARD prefers direct notification to their hotline. PEAS forwards all agriculture calls to MDARD.</p>	<p>Within 90 days: to MDARD Pesticide and Plant Pest Management Div. a revised site plan.</p>	<p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>PEAS: 800-292-4706</p> <p>NRC 800-424-8802 or online at www.nrc.uscg.mil</p> <p>For further information contact MDARD 517-284-5644</p>
<p>NREPA 1994 PA 451 Part 85, Fertilizers Regulation 641 Commercial Fertilizer Bulk Storage Regulation 642, On Farm Fertilizer Bulk Storage (Agricultural)</p>	<p>Release to the environment of a commercial fertilizer >55 gallons liquid or 650 pounds dry, or tank overfills; or an on farm fertilizer > 55 gallons liquid.</p> <p>For storage tank with bladder system instead of diking: also report all overfills and internal spills.</p> <p>The term "release" excludes normal agricultural practices. The term "liquid fertilizer" excludes anhydrous ammonia.</p>	<p>Immediate: to MDARD by commercial bulk storage facility personnel</p> <p>(For farms, the regulation does not specify who makes the report.)</p>	<p>Not required.</p>	<p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>For further information contact MDARD 517-284-5644</p>
<p>Fire Prevention Code 1941 PA 207 Section 29.5g</p>	<p>A fire, explosion, spill, leak, accident, or related occurrence that involves the transportation, storage, handling, sale, use, or processing of hazardous material by a firm, person, or vehicle.</p> <p>Hazardous material = explosives, pyrotechnics, flammable gas, flammable compressed gas, flammable liquid, nonflammable compressed gas, combustible liquid, oxidizing material, poisonous gas or liquid, LPG, or irritating, etiologic, radioactive, or corrosive material.</p> <p>Act 207 amended 6/19/2006. The State Fire Marshall is in LARA, Bureau of Fire Services.</p>	<p>Immediately following incident, report known details regarding incident: to LARA Bureau of Fire Services and organized local fire department by owner of firm or vehicle or the person and the chief of first police or organized fire dept upon scene of incident.</p>	<p>Not required.</p>	<p>Contact LARA Bureau of Fire Services by calling the MSP HazMat hotline: 800-525-5555</p> <p>For further information: contact local fire department</p>

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<p style="text-align: center;">49 CFR 171 (Transportation of Hazardous Materials)</p>	<p>Initial verbal notice: Incident during transportation (including loading, unloading, temporary storage) involving (1) hazardous material and resulting in death, injury requiring hospitalization, public evacuation ≥ 1 hour, major transportation artery or facility closure ≥ 1 hour, or flight pattern alteration; (2) fire, breakage, spillage, or suspected radioactive contamination occurs involving a radioactive material; (3) fire, breakage, spillage or suspected contamination involving an infectious substance other than a regulated medical waste; (4) marine pollutant release exceeding 450 L (119 gal) liquid or 400 kg (882 lbs) solid; (5) other per judgment of person in possession of the hazardous material (e.g., continuing danger to life exists at scene of incident); (6) during transportation by aircraft, a fire, violent rupture, explosion or dangerous evolution of heat occurs as a direct result of a battery or battery-powered device.</p> <p>Hazardous material = CERCLA hazardous substance (40 CFR 302, Table 302.4), hazardous waste (40 CFR 262), marine pollutant (49 CFR 172.101 Appendix B), elevated temperature material, listed on Hazardous Materials Table (49 CFR 172.101), or meets criteria for hazard class/division in 49 CFR 173.</p> <p>Written follow-up report: Required for all of above, plus any unintentional release of hazardous material from a package (including tank); or any quantity of hazardous waste discharged during transportation; or structural damage to lading retention system, even if no release, on specification cargo tank with ≥ 1000 gal capacity containing hazardous material; or undeclared hazardous material discovered.</p>	<p>As soon as practical but no later than 12 hours after occurrence of the incident: to NRC by each person in physical possession of the hazardous material.</p> <p>(A reportable incident <i>must</i> be reported by telephone, not online.)</p> <p>For infectious substances, notice may be given to the Director, Centers for Disease Control and Prevention, U.S. Public Health Service instead of NRC.</p>	<p>Within 30 days after discovery: to US DOT on DOT Form F 5800.1 (01-2004) “Hazardous Materials Incident Report.”</p> <p>Report online at https://hazmatonline.phmsa.dot.gov/incident/</p> <p>Report must be updated w/i 1 year of incident if: Death results from injury; hazardous material or package info on prior report misidentified; damage, loss or cost not known on prior report becomes known or changes by \$25,000 or 10%.</p> <p>See regulation for exceptions to written report.</p>	<p style="text-align: center;">NRC 800-424-8802 or online at www.nrc.uscg.mil</p> <p style="text-align: center;">U.S. Public Health Service 800-232-0124</p> <p>For further information contact US DOT Hazardous Materials Information Center at 800-467-4922 or online at www.phmsa.dot.gov/hazmat</p>
<p style="text-align: center;">NREPA 1994 PA 451 Part 31, Water Resources Protection (Release to surface of ground, surface water, groundwater or public sewer system)</p>	<p>Unpermitted release directly or indirectly to public sewer system, surface of ground, surface water or groundwater from an oil storage facility or on-land facility of a “polluting material” (oil, salt, or any material specified in table 1 in R 324.2009) in excess of its threshold reporting quantity during any 24-hour period.</p> <p>See Part 5 rules, effective 8/31/01, for details and exemptions. HB 5586 effective 6/15/04 amended the reporting requirements.</p> <p><i>Rule revisions pending as of November 2014.</i></p>	<p>As soon as practicable after detection: to PEAS and 911 by owner, operator or manager.</p> <p>State agencies call 911 if release reported to them by another state or Canada.</p>	<p>Within 10 days after release: to DEQ-WRD district supervisor and to the local health department where the release occurred, outlining cause, discovery, response & prevention of recurrence.</p>	<p>PEAS: 800-292-4706</p> <p>For further information contact DEQ-WRD</p>

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Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
CWA Section 311 33 CFR 153 (Navigable waters – Coast Guard/DOT) Control of Pollution by Oil and Hazardous Substances, Discharge Removal	Discharge of a harmful quantity of oil or a hazardous substance from a vessel or onshore or offshore facility into or upon navigable waters of the United States or adjoining shorelines. Harmful quantity = oil discharge that violates applicable water quality standards, or causes a film or sheen upon or discoloration of the surface of the water or adjoining shorelines, or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines; or a CERCLA hazardous substance (40 CFR 302, Table 302.4) in a quantity equal to or greater than its corresponding reportable quantity. Oil = oil of any kind or in any form including petroleum, crude oil, petroleum refined products, sludge, oil refuse, oil mixed with wastes, etc., as well as vegetable and animal oils.	Immediate: to NRC by person in charge of vessel or facility. If direct reporting to NRC not practicable, may report to district Coast Guard or EPA predesignated OSC.	Not required.	NRC 800-424-8802 or online at www.nrc.uscg.mil District 9 Coast Guard 216-902-6117 EPA Region 5 for predesignated OSC 312-353-2318 For further information contact EPA Region 5 at 312-353-8200 or District 9 Coast Guard at 216-902-6045
CWA Section 311 40 CFR 110 (Discharge of Oil)	Discharges of oil that violate applicable water quality standards, or cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines, or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines. Oil = oil of any kind or in any form including petroleum, crude oil, petroleum refined products, sludge, oil refuse, oil mixed with wastes, etc., as well as vegetable and animal oils.	Immediate: to NRC by person in charge of vessel or facility.	Not required.	NRC 800-424-8802 or online at www.nrc.uscg.mil For further information contact DEQ-WRD
NREPA 1994 PA 451 Part 31, Water Resources Protection (Sewer Systems)	Discharge of untreated sewage or partially treated sewage from a sewer system onto land or into the waters of the state. "Sewer system" means a sewer system designed and used to convey sanitary sewage or storm water, or both.	Immediate (within 24 hours): to DEQ-ODWMA district office (PEAS after hours); Local health depts.; Daily newspaper circulated in source & affected counties; & Affected municipalities.	At end of discharge: to same parties notified initially on Form EQP 5857 (Rev. 12/2011) "Report of Discharges of Untreated or Partially Treated Sewage." Includes results of E. coli testing.	PEAS: 800-292-4706 For further information contact DEQ-ODWMA
NREPA 1994 PA 451 Part 41, Sewerage Systems	Discharges of pollutants from sewerage systems (which can include combined sewers) in excess of those authorized by a discharge permit issued by the DEQ to surface water or groundwater as a result of a facility breakdown or emergency. Sewerage systems handle sanitary sewage or other industrial liquid wastes.	Promptly: to DEQ-ODWMA district office (PEAS after hours) by owner.	Within 72 hours: to DEQ-ODWMA district supervisor, outlining cause, discovery, corrective actions taken to minimize impact, restore operations, and eliminate future unpermitted discharges.	PEAS: 800-292-4706 For further information contact DEQ-ODWMA

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<p>NREPA 1994 PA 451 Part 211, Underground Storage Tanks Part 213, Leaking Underground Storage Tanks</p>	<p>Releases of a regulated substance of any amount from underground storage tank (UST) systems (includes the emergency shutoff valve on down) subject to registration; overfill from UST fillpipe or vent onto ground; release from aboveground pipe attached to UST system.</p> <p>Regulated substance = petroleum or CERCLA hazardous substance (40 CFR 302, Table 302.4) or substance listed in CAA title 1 part A sect 112. Petroleum includes, but is not limited to, crude oil, motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, and petroleum solvents.</p>	<p>(Part 211) Within 24 hours after discovery: to LARA Bureau of Fire Services, Storage Tank Division by email, or fax on Form EQP 3826 (Rev. 4/12) If free product, Form EQP 3800 (Rev 02/2003) required by UST owner or operator, or employee of owner or operator.</p> <p>Includes releases discovered years after UST system removed</p>	<p>(Part 213) At 180 days Initial Assessment Report on Form EQP3841 (Rev. 02/2003) if not closed; at 365 days Final Assessment Report on Form EQP3842 (Rev. 11/2006) if still not closed; at closure Closure Report on Form EQP3843 (Rev. 02/2003) to DEQ-RRD district project manager.</p>	<p>Email: deq-std-tanks@michigan.gov Fax: 517-335-2245</p> <p>For further information contact DEQ-RRD or phone 800-MICHUST</p>
<p>NREPA 1994 PA 451 Part 111, Hazardous Waste Management (Generators; Treatment, Storage & Disposal Facilities (TSDF); Transporters)</p>	<p>Any amount of characteristic hazardous waste or listed hazardous waste (as defined in R 299.9203 "Hazardous Waste Rule 203") reaches the surface water or groundwater, or A fire, explosion, or other release of hazardous waste or hazardous waste constituent occurs that could threaten human health or the environment. or A release of >1lb (or ≤1lb if not immediately cleaned up) hazardous waste to the environment from a tank system or associated secondary containment system.</p> <p>Additional hazardous waste reporting requirements under NREPA Part 201 and CERCLA.</p> <p>NREPA Part 111 requires transporters to comply with 49 CFR 171 and 33 CFR 153.</p>	<p>Immediate: to PEAS (or for Tank systems/secondary containment, within 24 hours of discovery: to DEQ-OWMRP)</p> <p>and to NRC if threat to human health or environment outside facility by generator, or owner or operator of TSDF, or transporter.</p>	<p>For large quantity generators and TSDF: Within 15 days after incident IF the contingency plan had to be implemented: to DEQ-OWMRP.</p> <p>For tank/secondary containment systems: Within 30 days of discovery: to DEQ-OWMRP.</p> <p>For transporters: to US DOT if required per 49 CFR 171.</p>	<p>PEAS: 800-292-4706</p> <p>NRC 800-424-8802 or online at www.nrc.uscg.mil</p> <p>For further information contact DEQ-OWMRP</p>
<p>NREPA 1994 PA 451 Part 121, Liquid Industrial Waste</p>	<p>The liquid industrial waste spill could threaten public health, safety, welfare, or the environment, or has reached surface water or groundwater.</p> <p>Liquid industrial waste includes nonhazardous brine, by-product, industrial wastewater, leachate, off-spec commercial chemical product, sludge, sanitary or storm sewer clean-out residue, grease trap clean-out residue, spill residue, used oil, or other liquid waste not regulated by other laws.</p>	<p>Immediate: to PEAS and local authorities by generator, transporter, or owner or operator of facility.</p> <p>Refer to MCL 324.12111(1) for required report elements</p>	<p>Prepare within 30 days after incident. Submit upon request: to DEQ-OWMRP district supervisor.</p> <p>Refer to MCL 324.12111(1) for required report elements</p>	<p>PEAS: 800-292-4706</p> <p>For further information contact DEQ-OWMRP</p>
<p>NREPA 1994 PA 451 Part 55, Air Pollution Control</p>	<p>Abnormal condition, start-up, shutdown, or malfunction that results in emissions exceeding permissible (in rule, permit or order) levels of hazardous air pollutants (HAPs) (CAA Sect. 112(b)) or toxic air contaminants (as specified in permit) for > 1 hour, or any air contaminant for > 2 hours.</p> <p>Written follow-up report only required for emission exceedences lasting > 2 hours.</p>	<p>As soon as possible, but not later than 2 business days after discovery: to DEQ-AQD district office (PEAS after hours) by owner or operator.</p>	<p>Within 10 days after start-up, shutdown, or abnormal condition, malfunction corrected. Or within 30 days of abnormal condition, malfunction discovery- whichever first: to DEQ-AQD district supervisor.</p>	<p>PEAS: 800-292-4706</p> <p>For further information contact DEQ-AQD</p>

NOTE: If the release is a **THREAT TO HUMAN HEALTH or SAFETY**, call 911 or your local fire department.

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Additional reporting requirements might be found in **permits, licenses, registrations, contingency and pollution prevention plans, and local ordinances.**



Release Notification Requirements in Michigan*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
NREPA 1994 PA 451 Part 55, Air Pollution Control (Permit to Install Exemptions)	Emergency venting of natural gas from transmission and distributions systems or field gas from gathering lines in amounts > 1,000,000 standard cubic feet per event. Emergency = unforeseen event that disrupts normal operating conditions and poses a threat to human life, health, property or the environment if not controlled immediately. See R 336.1285(mm), effective 6/20/2008, for details.	Within 24 hours of the event: to PEAS by owner or operator.	Not required.	PEAS: 800-292-4706 For further information contact DEQ-AQD
Public Health Code 1978 PA 368 Part 133, Dry Cleaning	Condition or incident presents a threat or hazard to public health or safety.	Immediate: to DEQ-AQD district office (PEAS after hours) by owner or operator.	Within 30 days after incident: To DEQ-AQD district supervisor.	PEAS: 800-292-4706 For further information contact DEQ-AQD
NREPA 1994 PA 451 Part 615, Supervisor of Wells (oil and gas production fields)	A loss, spill or release of (1) any amount of brine, crude oil, or oil or gas field waste <i>unless</i> it is less than 42 gallons and occurs while an authorized representative is on site and is completely contained and cleaned up within 1 hour, or (2) any unpermitted amount of natural gas , or (3) chemicals used in association with oil and gas activities.	Within 8 hours after discovery of: 42 gallons or more of brine, crude oil, or oil or gas field waste, or any amount of chemical or natural gas, or, less than 42 gallons if the spill contacts surface water, groundwater, or other environmentally sensitive resources, or is not completely contained and cleaned up within 48 hours: to DEQ-OOGM district office (PEAS after hours) by permittee.	Within 10 days after discovery of loss or spill: to DEQ-OOGM district supervisor on Form EQP-7233 (Rev 1/2012) "Report of Loss or Spill." by permittee Written report only for less than 42 gallons of brine, crude oil, or oil and gas field waste if spill does not contact surface water, groundwater, or other environmentally sensitive resources, and is completely contained and cleaned up within 48 hours.	PEAS: 800-292-4706 For further information contact DEQ-OOGM
49 CFR 191 Transportation of Natural and Other Gas by Pipeline	An incident, meaning: (1) Event that involves a release of gas from a pipeline, or of liquefied natural gas, liquefied petroleum gas, refrigerant gas, or gas from an LNG facility that results in: Death or hospitalization; or Property damage \geq \$50,000; or estimated gas loss of \geq three million cubic feet. (2) Event that results in emergency shutdown of LNG facility. (3) Significant event per operator. Written Incident reports not required for LNG facilities. Applies to pipeline systems and the transportation of gas through those systems in or affecting interstate or foreign commerce. (See 49 CFR 191.3 for details.)	Earliest practicable moment following discovery: to NRC by operator. Notification must electronic unless there is a safety-related condition to report.	As soon as practicable, and within 30 days after discovery: to US DOT. on DOT Form PHMSA F 7100.1 "Incident Report – Gas Distribution System." or PHMAS F 7100.2 "Incident Report – Gas Transmission and Gathering Systems" or PHMSA F 7100.3 "Incident Report – Liquefied Natural Gas (LNG) Facilities" Supplemental report filed as necessary as soon as practicable.	NRC 800-424-8802 or online at www.nrc.uscg.mil For further information contact US DOT Pipeline Safety Information Center at 202-366-4595 or online

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Release Notification Requirements in Michigan*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>49 CFR 195 Transportation of Hazardous Liquids by Pipeline</p>	<p>Release of hazardous liquid (petroleum, petroleum products, or anhydrous ammonia) or carbon dioxide from a pipeline system that results in any of the following: (a) Explosion or fire; (b) Release of ≥ 5 gallons (except if < 5 barrels released due to maintenance and release not otherwise reportable, confined to property, does not pollute water, and cleaned up promptly); (c) Death of any person; (d) Injury requiring hospitalization; or (e) Property damage $> \\$50,000$. (See 49 CFR 195.50, revised 1/8/02, for details)</p> <p>Applies to pipeline facilities and the transportation of hazardous liquids associated with those facilities in or affecting interstate or foreign commerce. (See 49 CFR 195.1 for details.)</p>	<p>Earliest practicable moment following discovery: to NRC by operator if Release caused: Death or hospitalization; Fire or explosion; Property damage; Water pollution; or was Significant per the operator.</p>	<p>As soon as practicable, and within 30 days after discovery: to US DOT on DOT Form PHMSA F 7000-1 "Accident Report – Hazardous Liquid Pipeline Systems"</p> <p>Supplemental report must be filed within 30 days after operator receives changes or additions to original report.</p>	<p>NRC 800-424-8802 or online at www.nrc.uscg.mil</p> <p>For further information contact US DOT Pipeline Safety Information Center at 202-366-4595 or online</p>
<p>1978 PA 368 Part 135, Radiation Control</p>	<p>For any emergency. Or for incident involving naturally occurring or accelerator produced radioactive material- Immediate notice if: Incident may have caused or threatens to cause: dose to body 25 rems, to skin 150 rems, to extremities 375 rems (per rule 247); 24 hour concentration exceeds 5000 times limits specified in table II of rules 261 to 269; contamination causes operation shut down for 1 week, or property damage $> \\$100,000$.</p> <p>Notice within 24 hours if: Incident may have caused or threatens to cause: dose to body 5 rems, to skin 30 rems, to extremities 75 rems (per rule 247); 24 hour concentration exceeds 500 times limits specified in table II of rules 261 to 269; contamination causes operation shut down for 1 day, or property damage $> \\$1000$.</p>	<p>Immediate or within 24 hours (see reporting criteria): to DEQ-OWMRP Radiological Protection Section (PEAS after hours) or MSP Operations Division for all Power Plant related incidents (day or night). by licensee or registrant.</p>	<p>Within 30 days after release: to DEQ-OWMRP Radiological Protection Section by licensee or registrant.</p> <p>Written report also required if level of radiation or concentration of radioactive material in unrestricted area > 10 times any applicable limit.</p> <p>See Rule 250 (R 325.5250) for required report content.</p>	<p>DEQ-OWMRP Radiological Protection Section 517-284-5185</p> <p>MSP Operations Div 517-241-8000</p> <p>PEAS: 800-292-4706</p> <p>For further information contact DEQ-OWMRP Radiological Protection Section</p>
<p>10 CFR 20 (Standards for Protection Against Radiation)</p>	<p>For incident involving source, by-product, or special nuclear radioactive material- Immediate notice if: Event that may have caused or threatens to cause: effective dose equivalent to individual 25 rems, lens dose equivalent 75 rems, shallow-dose equivalent to skin or extremities 250 rads; individual could receive 5 times annual limit on intake in 24 hours. OR Any lost, stolen, or missing licensed material in an aggregate quantity equal to or greater than 1000 times the quantity specified in appendix C to part 20 under such circumstances that it appears to the licensee that an exposure could result to persons in unrestricted areas.</p> <p>Notice within 24 hours if: Event that may have caused or threatens to cause: an individual in 24 hours to receive effective dose equivalent > 5 rems, lens dose equivalent > 15 rems, shallow-dose equivalent to skin or extremities > 50 rems; individual could receive > 1 times annual limit on intake in 24 hours.</p>	<p>Immediate or within 24 hours (see reporting criteria): to USNRC by USNRC Licensee responsible for the incident.</p>	<p>Within 30 days of incident: to USNRC by licensee.</p> <p>Report content specified in 10 CFR 20.2003</p> <p>Written report also required for occurrences as specified in 10 CFR 20 Section 20.2203 and after the occurrence of any lost, stolen, or missing licensed material becomes known to the licensee, and if at the time the report is filed all licensed material in a quantity greater than 10 times the quantity specified in appendix C to part 20 is still missing.</p>	<p>US Nuclear Regulatory Commission (USNRC) 301-816-5100</p> <p>For further information contact DEQ-OWMRP Radiological Protection Section 517-284-5185</p>

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Release Notification Requirements in Michigan*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
MIOSHA 1974 PA 154 Section 61, Records & Reports; Notice of Fatalities or Hospitalization	A release that results in a fatality within 30 days of the incident or in-patient hospitalization within 24 hours of the incident. Note: the OSHA amendment to require employers to report all work-related hospitalizations within 24 hours becomes effective Jan 1, 2015. Michigan intends to adopt the new rules by reference within 6 months of the Sept 18, 2014 FR publication.	Within 8 hours: for a fatality or Within 24 hours: for hospitalization to MIOSHA Hotline by Employer.	Not required.	MIOSHA Fatality or Catastrophe Hotline 800-858-0397 For further information contact LARA-MIOSHA 517-322-1831
TSCA 40 CFR 761.125 (PCBs)	Spills of PCBs at concentrations of 50 ppm or more and subject to decontamination requirements under TSCA that: contaminate surface water, sewers, drinking water supplies, grazing lands or vegetable gardens, or exceed 10 pounds. (TSCA specifies that these requirements are in addition to any under CWA or CERCLA. e.g. CERCLA requires spills of 1 pound or more to be reported to NRC.)	As soon as possible after discovery, and within 24 hours: to EPA Region 5.	Not required to be submitted. Records of cleanup and certification of decontamination shall be documented.	EPA Region 5 Corrective Action Section 312-886-7890 For further information contact EPA Region 5 Corrective Action Section
SARA Title III Section 313 40 CFR 372 (Toxic chemical release reporting)	Covered facilities as defined in 40 CFR 372 subpart B are subject to toxic chemical release reporting for toxic chemicals and chemical categories listed in 40 CFR 372 subpart D.	Not applicable.	Annually by July 1: to EPA & SERC on EPA's Form R "Toxic Chemical Release Inventory Reporting Form" (EPA Form 9350-1, Rev.10/2011) Report aggregate releases (permitted & unpermitted)	Michigan SARA Title III Program accepts reports on behalf of SERC For further information contact Michigan SARA Title III Program 517-284-7272

Table prepared by the Michigan SARA Title III Program in the DEQ

Acronyms used in table:

AQD = Air Quality Division
 AST = Above Ground Storage Tank
 CAA = Clean Air Act
 CAFO = Concentrated Animal Feeding Operation
 CERCLA = Comprehensive Environmental Response, Compensation and Liability Act of 1980
 CFR = Code of Federal Regulations
 CWA = Clean Water Act
 DEQ = Michigan Department of Environmental Quality
 DOT = Department of Transportation
 EHS = Extremely Hazardous Substance
 EPA = U. S. Environmental Protection Agency
 EPCRA = Emergency Planning & Community Right-to-Know Act
 FIFRA = Federal Insecticide, Fungicide, & Rodenticide Act
 FL/CL = Flammable and combustible liquids
 FR = Federal Register
 HAP = Hazardous Air Pollutant

HazMat = Hazardous Materials
 HB = House Bill
 LARA = Michigan Department of Licensing & Regulatory Affairs
 LEPC = Local Emergency Planning Committee
 LNG = Liquefied Natural Gas
 LPG = Liquefied Petroleum Gas
 MCL = Michigan Compiled Laws
 MDARD = Michigan Department of Agriculture & Rural Development
 MIOSHA = Michigan Occupational Safety and Health Administration
 MSP = Michigan Department of State Police
 NRC = National Response Center (U.S. Coast Guard)
 NREPA = Natural Resources & Environmental Protection Act
 ODWMA = Office of Drinking Water & Municipal Assistance
 OOGM = Office of Oil, Gas, and Minerals
 OPS = Office of Pipeline Safety (US DOT)
 OSC = On Scene Coordinator
 OWMRP = Office of Waste Management & Radiological Protection

PA = Public Act (Michigan)
 PCB = Polychlorinated biphenyl
 PEAS = Pollution Emergency Alerting System
 PHMSA = Pipeline & Hazardous Materials Safety Administration
 RMP = Risk Management Program
 RRD = Remediation and Redevelopment Division
 SARA = Superfund Amendments and Reauthorization Act of 1986
 SERC = State Emergency Response Commission
 TRI = Toxic Chemical Release Inventory
 TSCA = Toxic Substance Control Act
 TSDF = Treatment, Storage & Disposal Facility
 US DOT = U.S. Department of Transportation
 USNRC = U. S. Nuclear Regulatory Commission
 UST = Underground Storage Tank
 WRD = Water Resources Division

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