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FACILITIES' GUIDE TO SARA TITLE III



EMERGENCY PLANNING AND

RELEASE REPORTING

January 2012

10th EDITION



AUTHORITY: PA 451 OF 1994

TOTAL COPIES:

TOTAL COST: \$

COST PER COPY: \$.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY



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INTRODUCTION

The Michigan Facilities' Guide to SARA Title III, Emergency Planning, and Release Reporting was developed by the Michigan SARA Title III Program in the Michigan Department of Environmental Quality (DEQ). This guidebook will help facilities with hazardous and/or toxic chemicals on site understand the regulations that are designed to improve the level of emergency preparedness and chemical awareness in their communities. The guidebook includes reference materials published by state and federal agencies that are pertinent to the regulations.

Title III of the Superfund Amendments and Reauthorization Act ("SARA Title III") is the Emergency Planning and Community Right-to-Know Act. It has requirements related to hazardous chemical storage, toxic and hazardous chemical release reporting, emergency planning, and the public's right to know about chemicals and chemical releases in their community. Chapters 1-4 summarize SARA Title III and explain the reporting requirements therein.

Many facilities are required to have emergency plans that address their response to chemical release emergencies on site in accordance with one or more of several state and federal regulations. SARA Title III requires that communities prepare for the off-site response to chemical releases from certain facilities. Each facility's on-site emergency response plan should be coordinated with the community's off-site emergency plan. Chapter 5 discusses how a facility can integrate the planning requirements of multiple regulations into a single plan format that is acceptable to the state and federal agencies, and that allows for coordination with the community plan.

There are 28 state and federal regulations that have chemical release reporting requirements. Chapter 6 summarizes the requirements of each regulation. An example release calculation shows how to determine a reportable release.

Many of the regulatory requirements in this guidebook refer to published lists of chemicals and threshold amounts that trigger reporting. Appendix A, SARA Title III Extremely Hazardous Substances, lists the chemicals subject to Emergency Planning Notification. Appendix B, the Environmental Protection Agency's List of Lists, is a consolidated list of chemicals subject to SARA Title III and Section 112(r) of the Clean Air Act. Appendix C is the Part 5 Rules of Part 31 of the Natural Resources and Environmental Protection Act. The Part 5 rules describe reportable quantities for hazardous chemicals covered by Michigan's Water Resources Protection law and the requirements of the Pollution Incident Prevention Plan, a contingency plan that is discussed in Chapter 5. DEQ district offices are identified in Appendix D.

The Michigan Facilities' Guide to SARA Title III, Emergency Planning, and Release Reporting is intended for guidance only and might be impacted by changes in legislation, rules, and regulations adopted after the date of publication. Although the guidebook makes every effort to provide the user with directions on how to meet the applicable compliance obligations, use of this guidebook does not constitute the rendering of legal advice.

Diligent attention has been given to assure that the information presented herein is accurate as of the date of publication. However, there is no guarantee, expressed or implied, that use of this guidebook will satisfy all regulatory requirements mandated by laws and their respective enforcement agencies. Reliance on information from this document is not usable as a defense in any enforcement action or litigation. The state of Michigan shall be held harmless for any cause of action brought on as a result of using of this publication.

This guidebook is available on the Internet at www.michigan.gov/sara.