

WHO IS INVOLVED WITH EPCRA

U.S. Environmental Protection Agency (EPA)

- < receives Toxic Chemical Release inventory (Form R) § 313 reports
- < oversees Title III implementation nationwide
- < fines companies for non-compliance, up to (\$37,500-a-day penalty)
- < establishes and revises lists of hazardous chemicals

State Emergency Response Commission (SERC)

- < designates local emergency planning districts
- < appoints Local Emergency Planning Committee (LEPC) members
- < supervises and coordinates the activities of the local committees
- < establishes procedures for receiving and processing public requests for information collected under various sections of Title III
- < reviews local emergency plans
- < notifies EPA of facilities subject to emergency planning requirements
- < designates additional facilities subject to emergency planning, if necessary

South Carolina Department of Health & Environmental Control (SCDHEC)

SC SERC Reporting Point

- < receives §302,304,311,312, & 313 reports and notifications
- < provides technical support to SERC, LEPCs, and facilities
- < maintains databases of Title III information for use by the SERC, LEPCs, and the public

South Carolina Emergency Management Division (SCEMD)

- < oversees training and planning grants
- < provides planning and exercise support to the SERC and LEPCs

Local Emergency Planning Committees (LEPC) with support from County Emergency Management Departments (EMDs)

- < develop local emergency response plans
- < establish committee rules
- < give public notice of their activities
- < establish procedures for handling public requests for information
- < request any information from facilities needed for emergency planning
- < receive chemical inventory forms (§312, Tier Two) and data sheets or lists (§311, MSDS)
- < receive Section 304 release reports

Local Fire Departments

- < may request on-site visits to certain facilities
- < receive chemical inventory forms (§312, Tier Two) and data sheets or lists (§311, MSDS)

Facilities: Industries, businesses, government agencies, publicly owned/private owned facilities, warehouses, etc.

- < *Any facility that uses, stores, or produces any of the "Extremely Hazardous Chemicals" in amounts established by the EPA (EPCRA §302) is required to notify the State Emergency Response Commission through the SERC EPCRA Reporting Point at SCDHEC as being subject to emergency planning requirements.*
- < Facilities subject to emergency planning requirements must designate a representative to participate in the planning process.
- < Other statutes in the law require industry to submit various forms and provide information, including notification of a chemical release, to federal, state and local governments. These requirements are more specifically addressed in the appropriate sections of this booklet.
- < A facility can be designated by the SERC as subject to Title III (EPCRA) even if it doesn't meet "Extremely Hazardous Substance" criteria.

Citizens

- < may request copies of each emergency response plan, Material Safety Data Sheet (MSDS), MSDS list, inventory form, toxic chemical release form, and follow-up emergency notice, with some exceptions for trade secrets
- < may initiate legal actions against facilities for violations, under certain conditions

REQUIREMENTS BY SECTION

EPCRA §301/302/303

Emergency Planning

These sections of the law establish state and local administrative units to oversee implementation of Title III (EPCRA). Reporting requirements for facilities and guidelines for local emergency response plans are also contained within these statutes.

The law requires the governor of each state to appoint a State Emergency Response Commission (SERC) to manage the program. The Commission, in turn, appoints members to the Local Emergency Planning Committees (LEPC), which implement EPCRA on the county level. The legislation requires that the committee include representatives from the media, private industry, state and local government, and health, police, fire, civil defense, environmental, hospital, transportation and any other relevant groups. The LEPCs are required to develop chemical emergency response plans for their communities.

The Governor appoints twelve members, including representatives from private industry, to the