



WATER AND WASTEWATER FACILITIES CHEMICAL REPORTING GUIDE

Water and wastewater facilities store many hazardous materials for treatment processes. Facilities storing chemicals have reporting requirements for the safety of facility operators, emergency responders and the community.

Emergency Planning and Community Right-To-Know Act (EPCRA)

EPCRA aids emergency responders and communities to be prepared for an accidental chemical release. Facilities that store extremely hazardous substances (EHS) above the threshold planning quantity (TPQ) on the [EPA List of Lists](https://www.epa.gov/epcra/consolidated-list-lists) <https://www.epa.gov/epcra/consolidated-list-lists> report storage amounts annually. For additional information on EPCRA and chemical reporting visit <https://www.ncdps.gov/our-organization/emergency-management/hazardous-materials/epcratier-2>.

Reporting Timeline

Immediate (15 minutes) Emergency Release Reporting, EPCRA Section 304 requires the immediate reporting of accidental releases of an EHS above its reportable quantities (RQ) on the EPA List of List. Notifications go to:

- National Response Center 800-424-8802
- State Emergency Reponses Commission (SERC) 800-858-0368
- Local Emergency Planning Committee

The notice must include as much of the following information known at the release time.

1. The chemical name or identity of any substance involved in the release.
2. Indicate if the substance is an EHS.
3. Provide an estimate of the release quantity into the environment.
4. State the release time and duration.
5. The medium or media into which the release occurred (air, water, etc.).
6. Any known or anticipated acute or chronic health risks associated with the emergency and medical advice and needs for exposed individuals.
7. Proper precautions to take because of the release, including evacuation (unless the information is readily available to the community emergency coordinator in the emergency plan).
8. The name and telephone number of the individual (or individuals) to be contacted for further information.

30 Day Written follow-up emergency release reporting notification. Except for releases that occur during transportation, facilities must provide a written follow-up emergency notice as soon as possible after the release to the SERC and LEPC. The written follow-up emergency notice must provide and update the information from the immediate notification and include:

1. Actions taken to respond and contain the release.
2. Any known or anticipated acute or chronic health risks from the release.
3. Where appropriate, medical attention advice for exposed individuals.

30 Days of Initially Storing Emergency Planning Notification, EPCRA Section 302 for extremely hazardous substance (EHS) that could cause serious permanent health effects from accidental releases. Facilities storing above the TPQ (example TPQs chlorine is 100 lbs and sulfuric acid is 500 lbs) must notify the SERC/LEPC within 30 days. For North Carolina, notification is completed in E-Plan by submitting the chemical storage quantities and safety data sheet. <https://erplan.net/> Check local or county ordinances for additional reporting requirements.

Facilities with EHSs present on site above their TPQs are also required to:

- Designate a representative to be the facility emergency coordinator.
- Participate in the local emergency planning process.
- Provide information to the LEPC or TEPC that is necessary for developing a community emergency response plan
- Notify the LEPC or TEPC of any changes that occur at the facility that would affect emergency planning.

Tier II Reporting EPCRA 311 and 312

Submit within 90 days of chemical onsite, then Annually by 1 March

Facilities storing above the threshold planning quantity (TPQ) must provide the SDS or a list of reportable chemicals stored or handled. For an EHS, EPCRA Section 302, the threshold is 500 pounds or the TPQ, whichever is lower. For all other hazardous chemicals for which facilities are required to have or prepare a SDS, the minimum reporting threshold is 10,000 pounds.

North Carolina Tier II reporting is completed in E-Plan <https://erplan.net/>. Most LEPCs and fire departments have access to E-Plan. Check local or county ordinances for additional reporting requirements. For additional information on Tier II submittals see: <https://www.ncdps.gov/our-organization/emergency-management/hazardous-materials/epcratier-2>

<https://www.epa.gov/epcra/tier-ii-forms-and-instructions>

As part of the Tier II submittal under *Additional Information*, facilities may upload emergency plans, maps with chemical locations, water supply, responder safe zone, facility staff muster points, list of facility emergency response equipment, SDSs, etc. for responder access.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

If a continuous release of an EHS occurs at a facility where a hazardous chemical is produced, used, or stored above the CERCLA RQ on the EPA List of List, it requires additional notifications. An EPA guide is available: <https://www.epa.gov/epcra/reporting-requirements-continuous-releases-hazardous-substances-guide-facilities-compliance>.

America's Water Infrastructure Act (AWIA)

Beginning in 2018 states agencies are required to notify the drinking water primacy agency or community water systems of any reportable releases of an EPCRA EHS or a CERCLA hazardous substance that potentially affects their source water and provide water systems access to Tier II information.

Based on the release, water systems can determine if water intakes need to be shut down or public water advisories sent out. Any water entity may request Tier IIs to proactively plan for releases in their community.

Risk Management Program (RMP)

The RMP chemicals are a subset of EPCRA substances that are extremely toxic or flammable volatile substances. Facilities storing more than the TQ on the EPA List of List for CAA 112r are subject to RMP. Example RMP substances water facilities are chlorine, anhydrous sulfur dioxide and ammonia. Guidance on RMPs for water and wastewater treatment plants can be found at: [Guidance for Wastewater Treatment Plants](https://www.epa.gov/rmp/general-rmp-guidance-appendix-f-supplemental-risk-management-program-guidance-wastewater) <https://www.epa.gov/rmp/general-rmp-guidance-appendix-f-supplemental-risk-management-program-guidance-wastewater>

Plants storing any amount of an RMP chemical must comply with the General Duty Clause (GDC) and are responsible for:

- Knowing the hazards posed by the chemicals and assessing the impacts of possible releases,
- Designing and maintaining a safe facility to prevent accidental releases, and
- Minimizing the consequences of accidental releases that do occur.

<https://www.epa.gov/rmp/general-duty-clause-fact-sheet>

Water and wastewater treatment plants that are subject to RMP rule are required to coordinate emergency response plans with local officials. At a minimum, emergency planning must include:

- A documented meeting (annually)
- Written exercise program (beginning December 19, 2023)
- Notification exercise (beginning December 19, 2024)
- Tabletop exercise (beginning December 19, 2026)
- Field exercises (as appropriate per discussion with local officials)

Guidance on emergency response planning can be found at: [RMP Guidance – Emergency Response Program](https://www.epa.gov/rmp/general-rmp-guidance-chapter-8-emergency-response-program).

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For additional information see

<https://www.ncdps.gov/our-organization/emergency-management/hazardous-materials/chemical-safety-reporting>

Grants

Through coordination with the local LEPC and emergency management, NCDPS [Emergency Management Grants](https://www.ncdps.gov/our-organization/emergency-management/grants) <https://www.ncdps.gov/our-organization/emergency-management/grants> such as the Hazardous Materials Emergency Preparedness (HMEP) or NC Tier II may be used for emergency planning and exercises with local hazmat facilities.

For investments in water and sewer infrastructure, the [ARPA State Fiscal Recovery Fund Allocations](https://www.ncdps.gov/our-organization/emergency-management/grants) may be used for natural disaster resiliency projects.

REFERENCES

40 CFR Parts 68, 355, 370, 372

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