



## Emergency Planning & Community Right-to-Know Act (EPCRA) Reporting Requirements

EPCRA is a federal law that has several reporting requirements placed on owners or operators of facilities who have chemicals and hazardous substances at their facilities. EPCRA laws and [regulations](#) were designed to help increase the public's knowledge and access to specific information regarding chemicals at facilities and/or releases into the environment. Reporting is required if the amount of chemical on site is equal to or greater than the threshold planning quantities (TPQ). Notifications are fulfilled by submitting information within a specific time frame.

As a vehicle service facility owner or operator, you may be subject to specific EPCRA provisions. This fact sheet is an overview of the EPCRA reporting requirements that may fall within your business operations. EPCRA provisions require information to be submitted to several officials at the local, state, and federal level. The CT EPCRA program is overseen by the CT Department of Energy and Environmental Protection (DEEP) and the [Connecticut Emergency Response Commission \(SERC\)](#). At the State level, DEEP collects the forms, records the data and files the records received. The SERC oversees Local Emergency Planning Committees (LEPCs). At the local level, the LEPC as well as the local fire departments also collect EPCRA information. Enforcement is managed by the [federal EPCRA Program](#).

SERC maintains a [website](#) where you will find answers to most of your questions regarding EPCRA, reference documents, reporting forms, software, LEPCs and regional contacts, and other emergency preparedness activities. The SERC encourages you to make contact with the LEPC and Fire Department with jurisdiction over your facility to get their specific EPCRA reporting requirements. This factsheet is an overview of DEEP and SERCs procedures and forms.

**For vehicle service facilities, there are three primary sections of EPCRA that may require reporting to DEEP, LEPC and /or Fire Departments. The chemicals covered by each of the sections are different as are the quantities that trigger reporting.**

1. [Emergency Planning Requirements, Section 301, 302 and 303](#)
2. [Emergency Notification Requirement, Section 304](#)
3. [Community Right-to-Know, Hazardous Chemical Reporting Requirement](#)
  - a. Section 311, Material Safety Data Sheets
  - b. Section 312, Hazardous Chemical Storage Reporting (Tier 2 Reporting)

Please be aware there are other provisions to [EPCRA](#).

# I. Emergency Planning Requirements

## EPCRA Section 302

EPCRA, Section 302 helps promote communication among the facility, community and the State in terms of what chemicals are in the community.

### Who does this apply to?

Facilities that store, use or produce chemicals or hazardous substances must notify their LEPC and the SERC of the substance if it is listed as an extremely hazardous substance (EHS) and is present at the facility in an amount at or above the threshold planning quantity (TPQ).

### What are reportable substances under Section 302?

- Use [40 CFR Sec.302](#) to determine if a substance is considered a hazardous substance.
- Use [Table in Sec. 302.4](#) to determine if a substance is an extremely hazardous substance (EHS).
- Use the [Lists of Lists, Consolidated List of Chemicals Subject to EPCRA](#) - use the column referenced Section 302 to find the threshold planning quantity (TPQ) that triggers reporting.

### When are you required to report to the SERC and LEPC under Section 302?

- Within 60 days after your facility first receives it or produces it on site.
- Within 30 days after a change that may be relevant to emergency planning. Examples relevant to emergency planning include, but are not limited to:
  - When the facility is no longer in operation;
  - After a facility representative is appointed or replaced;
  - When a new EHS is present at the facility;
  - When an EHS is moved to a different location at the facility;
  - When an EHS is no longer present at the facility.

### Reporting Process

A [Notification Form](#) is available to assist you in complying with the law. The Notification Form has six sections: type of notification, facility information, facility representation - who serves as Emergency Coordinator, SIC codes or Dun and Bradstreet number, chemical name and CAS number and certification statement.

The SERC website maintains a listing of [LEPC Chairpersons](#). However, if your town is not listed or the contact name is outdated, contact your Chief Executive Official Office. For additional assistance, you may want to talk with your LEPC and become part of the town/regional emergency preparedness planning process.

### **FAQs about Section 302**

#### **Q. What substances are vehicle service facilities likely to report under Section 302 reporting requirements?**

A. *Sulfuric acid* is recognized as an extremely hazardous substance (EHS) with a threshold planning quantity (TPQ) over 1,000 pounds. The average car battery contains 5 pounds of sulfuric acid, so storing 200 or more car batteries would trigger reporting. This reporting requirement applies to batteries waiting to be sold, those stored for pickup under the [Universal Waste Rule](#), some batteries in emergency generators or lighting, and those in fork trucks and vehicles owned or operated by the facility. *Note that this requirement does not apply to batteries in customers' or workers' vehicles.*

*Ammonia* is also recognized as an EHS and must be reported if there is over 500 pounds at your facility. Ammonia can be found in refrigeration systems and in some products such as water-based paints (acts as the catalyst), windshield wiper fluid, and floor strippers.

## **II. Emergency Notification Requirements**

### **EPCRA Section 304**

EPCRA, Section 304, requires you immediately report the release of an extremely hazardous substance (EHS) or a hazardous substance listed under CERCLA that is equal to or over the minimum reportable quantity (TPQ). Use the [List of List, Consolidated List of Chemicals for EPCRA](#), and refer to the column labeled Section 304 or "CERCLA RQ" to determine the specific TPQ for Section 304.

You must report to three separate authorities (local, state and federal) within 24 hours of a release.

#### **Local Notification**

- Dial 911. This action sets into motion a process which routes both the call and data that you supply to the center serving the town/region from where the call originated. It usually goes to the emergency response personnel.

#### **State Notification**

- Call 860-424-3338 or toll free 1-866-337-7745. The phone lines are managed by DEEP and the call fulfills the notification requirement to the SERC as well.
  - Note: A person is required to immediately report spills of any quantity that pose a threat to human health or the environment to DEEP. Refer to the [Spill Reporting Fact Sheet](#) for more details on the State spill reporting requirements. Should the numbers listed above become unavailable for any reason then call 860-424-3333.

#### **Federal Notification**

- Dial 800-424-8802 (National Response Center, NRC) to report oil discharges and hazardous substances discharges that meet or exceed a specific quantity into the waters of the state. You must report quantities associated with reportable quantities of 1, 10, 100, 500, and 1000

pounds or greater. The [NRC](#) has a website with instructions, guidance and forms for filing the report. If you are unsure about whether to report a spill to the NRC, it is better to report than not report. For those without 800 access, please contact 202-267-2675.

### **III. Community Right-to-Know Requirements**

## **Reporting Hazardous Chemicals Requirement**

#### **EPCRA Sections 311 and 312**

#### **EPCRA Section 311- Material Safety Data Sheet**

##### **Who does this apply to?**

Any facility that is required to have available a Material Safety Data Sheet (MSDS) for any hazardous chemical under the [OSHA, Hazardous Communication Standard, 1910.1200\(c\)](#) is subject to this section.

##### **You are required to report:**

- For extremely hazardous substances, if you store either 500 pounds or the Threshold Planning Quantity (TPQ) whichever is lower, or
- For hazardous chemicals requiring an MSDS, quantities of 10,000 pounds or more, or
- For all grades combined of gasoline at a retail gas station, quantities of 75,000 gallons or more all in underground tank(s) that are in compliance with CT UST regulations, or
- For all grades combined of diesel fuel at a retail gas station, quantities of 100,000 gallons all in underground tank(s) that are in compliance with CT UST regulations.

##### **What is the reporting process?**

- Fill out the [Hazardous Chemical Reporting Notification Form](#) and return it to the CT Department of Energy and Environmental Protection, c/o State Emergency Response Commission.
- Report within 3 months of having a reportable quantity of hazardous chemical at your facility.
- Report when a new hazardous chemical(s) is stored in a reportable quantity at your facility.

For additional assistance, visit the [OSHA website](#) that provides instructions regarding how to manage MSDS.

#### **EPCRA Section 312 - Annual Tier II Reporting**

##### **Who does this apply to?**

Any facility that has a hazardous chemical with an MSDS and the quantity present is equal to or above the reporting threshold.

##### **You are required to report if:**

- You store one or more substance listed as an extremely hazardous substance (EHS) in quantities equal to or greater than the listed TPQ, or 500 lbs., whichever is lower  
Note: A substance is considered an EHS if identified in the [Final Rule, Appendix A and B](#) for listings of EHS. For additional assistance, go to the [Tier2 Submission instructions and](#)

[facility submission guidelines](#) and for the language of the [Final Rule](#).

**OR**

- Or you store 10,000 pounds or more of any hazardous substance requiring an MSDS.  
Note: A substance is a hazardous chemical if it is required to have an MSDS and meets the definition of hazardous chemicals under the OSHA regulations found at [29 CFR 1910.1200\(c\)](#)

**When are reports due?**

- Reports are due annually by March 1. A “year” represents the period from 1/1 -12/31.
- When new hazardous chemicals are stored in reportable quantities at your facility, you must report by updating your Tier II report.

**Reporting Process**

There is [Tier2 Submit software](#) available at no cost to help facilities prepare an electronic chemical inventory report. There is additional State Tier II Reporting guidance available. The State requires a Tier2 Submit Report Certification to be filed by the owner/operator or the officially designated representative of the owner/operator must certify that all information included in any of these submissions is true, accurate, and complete.

(FAQs and contact information on next page)

## FAQs under Section 311 and 312

**Q. If a retail gas facility stores gasoline or diesel fuel in both aboveground and underground tanks, what thresholds do they apply to determine if they have to report gasoline or diesel fuel? If they have to report, do they report all the gasoline and diesel fuel at the station?**

A. Any retail gas station that has at least 10,000 pounds of gasoline or diesel fuel stored in tanks that are not entirely underground must report on the total gasoline or diesel fuel at the facility, including any that is stored entirely underground. Similarly, any retail gas station that has at least 75,000 gallons of gasoline or 100,000 gallons of diesel fuel stored entirely underground must report on the total gasoline or diesel fuel at the facility, including any that is not stored entirely underground. In other words, whether the facility triggers the threshold for underground storage or for aboveground storage, they report on the total gasoline or diesel fuel at the facility. NOTE: Gasoline weighs approximately 6.15 pounds per gallon and diesel weighs approximately 7.38 pounds per gallon.

**Q. What other substances are vehicle repair and retail gasoline stations likely to report under Tier II?**

A. Other substances that may trigger reporting include propane, ethylene glycol, kerosene or fuel oil in excess of 10,000 pounds. Although there is another section of the Tier 2 form where storage amounts can be reported in kilograms, gallons, liters, barrels, tons or metric tons, Tier 2 requires substances to be reported in pounds. NOTE: Gasoline weighs approximately 6.15 pounds per gallon, diesel weighs approximately 7.38 pounds per gallon, and propane weighs approximately 4.2 pounds per gallon.

**Q. How do you report the sulfuric acid in batteries under Sections 311-312?**

A. You must report the sulfuric acid in lead acid and gel pack batteries in excess of 500 pounds. The average car battery contains approximately 5 pounds of sulfuric acid so if you have more than 100 car batteries stored or in use on site you must report. You must also report the lead in lead acid batteries in excess of 10,000 pounds. The average car battery contains 18- 20 pounds of lead. *Note that this reporting requirement does not apply to batteries waiting to be sold. However, if you collect returns of batteries, those would not have an exemption and need to be reported.* Large or unusual batteries (e.g., truck-size or double batteries) are not exempted.

For more information, contact the EPCRA, RCRA, Superfund & EPCRA Call Center at 1-800-424-9346 or TDD (800) 553-7672. Monday - Friday 9 am-5 pm Eastern or the SERC at 860-424-3373 or email the SERC at [deep.ctepcra@ct.gov](mailto:deep.ctepcra@ct.gov).

**DISCLAIMER:** This guidance is a tool to help you evaluate compliance at your facility. It is not a complete list of all regulations and requirements that may apply to your business. You are responsible for knowing and complying with all updated applicable state, federal, local and tribal requirements. Please be aware that environmental laws and regulations, as well as process technology may have changed significantly since these were published. Please do not rely on them for current information, but rather to provide background information.

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[Vehicle Repair and Body Shops P2 Fact Sheet Index](#)