Emergency Planning and Community Right-to-Know Act (EPCRA)–(SARA Title III)

GECAP of the Georgia Tech Research Institute is a voluntary, non-regulatory environmental compliance program funded by the Georgia Legislature through the University System of Georgia.

What is the Emergency Planning and Community Right-to-Know Act (EPCRA)?

EPCRA is Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, or SARA Title III. SARA Title III is intended to promote and implement planning for chemical emergencies at the state and local level. It is also intended to provide the public with information about the chemicals that are used, stored, and released in their community.

EPCRA is organized into four major components:

- Emergency Planning Notification, EPCRA §302
- Emergency Release Notification, EPCRA §304
- Hazardous Chemical Inventory Reporting, EPCRA §§311 & 312
- Toxic Chemical Release Inventory, EPCRA §313

Certain sections of EPCRA may apply to a facility based on the type and amount of chemicals a company manufactures, processes, uses, stores, or releases.

Which facilities are required to report under EPCRA?

Each component of EPCRA has different criteria used to determine if a facility must report chemical information to the Environmental Protection Agency (EPA), your state's emergency response commission (SERC) and/or a local emergency planning committee (LEPC). Not every city has an LEPC. Each component of EPCRA is described below and a flow chart for determining the applicability of these components is available as a separate Tech Guide.

EPCRA Section 302: refers to the presence, at any one time, of an extremely hazardous substance (EHS) in excess of a threshold planning quantity (TPQ) as listed in SARA Title III "List of Lists."[1]

EPCRA Section 304: refers to an emergency release of certain toxic chemicals above the reportable quantity (RQ). Section 304 applies if the facility has a release of a toxic chemical above the EHS RQ and/or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) RQ. Both the EHS RQ and CERCLA RQ lists must be reviewed to see if any chemicals at the facility are covered under EPCRA §304. Both lists can be found in EPA's SARA Title III "List of Lists."[1]

EPCRA Sections 311 & 312: refers to the presence, at any one time, of a chemical that is required to have a Safety Data Sheet (SDS) by the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS). A facility must comply with EPCRA 311-312 if it stores any chemical:

- that is required by the OSHA HCS to maintain a safety data sheet (SDS); and
- in a quantity that exceeds 10,000 lbs at any one time during the year.

A facility is also required to comply with EPCRA 311-312 if it stores any chemical:

- that is an extremely hazardous substance (EHS) as defined on the Section 302 of SARA Title III "Lists of Lists;"[1] and
- the EHS amount stored is greater than or equal to 500 pounds or the Threshold Planning Quantity (TPQ) listed in the "List of Lists"[1] whichever is lower.

EPCRA Section 313, also known as Toxic Release Inventory (TRI): refers to the release (routine or accidental) of certain toxic chemicals that are manufactured, processed, or otherwise used in a calendar year. Section 313 EPCRA applies if the

facility:

- has 10 or more full-time employees
- is included in a list of Standard Industrial Classification (SIC) codes* or is a federal facility, and
- manufactures or processes ≥ 25,000 lbs/year or otherwise uses ≥ 10,000 lbs/year of a listed chemical.

*The SIC codes that are listed in §313 EPCRA include: 10, 12, 20-39, 1321, 4911, 4931, 4939, 4953, 5169, 5171, 7389. However there are exemptions and limitations associated with certain SIC codes. Refer to the EPA's "Toxic Chemical Release Inventory Reporting Forms and Instructions" for more details. This document can be found at https://ordspub.epa.gov/ords/guideme_ext/f?p=guideme:rfi-home.

To determine whether a chemical is listed under §313 EPCRA, look in EPA's SARA Title III "List of Lists."[1]

What does a facility need to report?

If some or all of the criteria previously mentioned apply to a facility, the facility may have to submit forms and reports, compile lists, and/or notifications of the chemicals on site. The reporting requirements, broken down into the basic EPCRA components, are as follows:

EPCRA Section 302 requires companies to submit a facility profile form to the SERC and the LEPC based on the presence of a Section 302-listed substance.

EPCRA Section 304 requires facilities to first verbally notify their SERC and/or the National Response Center if there is a chemical release above an RQ. The facility must also submit a written follow-up report to the SERC and the EPA.

EPCRA Section 311 requires a facility to submit a one-time notification to the SERC, LEPC, and local fire department (LFD) including a SDS for each hazardous chemical or a list of the hazardous chemicals on site.

EPCRA Section 312 requires a facility to report an annual notification in a Tier II form including chemical-specific information. The forms should be returned to the SERC, LEPC, and local fire department. Some states allow an electronic submittal.

EPCRA Section 313 requires that a facility submits a Form R and/or Form A, depending on the annual reportable amount of a chemical release. An annual reportable amount is a total of all releases on-site and off-site. Form R applies if the annual reportable release amount is ≥ 500 lbs or if annual reportable amount is ≤ 500 lbs but the facility manufactures, processes, or otherwise uses ≥1,000,000 lbs of a listed chemical. If the annual reportable amount is <500 lbs and facility is under the 1,000,000 threshold, then the shorter Form A can be filed.

The data submitted by facilities to comply with Section 313 EPCRA TRI can be viewed at https://www.epa.gov/toxics-release-inventory-tri-program.

For more information

- View the EPCRA regulations in 40 CFR
- See EPA's "RCRA, Superfund, & EPCRA Hotline Training Manual" at https://www.epa.gov/sites/default/files/2017-02/documents/olaw.pdf
- Contact GECAP personnel at 404-894-4147 or send an email to Paige Rohrig at paige.rohrig@innovate.gatech.edu.
- For related information see the following GECAP Tech Guides:
  - EPCRA Sections 302-303: Emergency Planning,
  - EPCRA 304 & CERCLA: Emergency Release Notification,
  - EPCRA Sections 311 & 312: Hazardous Chemical Inventory, and
  - SARA Title III Section 313: Toxic Chemical Release Reporting.

Footnotes

[1]You can obtain a copy of SARA Title III "List of Lists" at https://www.epa.gov/system/files/documents/2025-04/consolidated-list-of-lists-updated-april-2025.pdf and the EPCRA Section 313 reporting forms and instructions at https://ordspub.epa.gov/ords/guideme_ext/f?p=guideme:rfi-home

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