



GECAP

Georgia Environmental Compliance Assistance Program

<http://www.gecap.org>

SARA Title III Section 313 Toxic Chemical Release: Reporting Requirements

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 SARA Title III §313 Community Right-to-Know Program?

Section 313 Emergency Planning and Community Right-to-Know Act (EPCRA), which is also known as Title III of the Superfund Amendments and Reauthorization Act (SARA), requires certain facilities to report both routine and accidental chemical releases. These businesses must submit reports to the Environmental Protection Agency (EPA) and the state emergency response commission (SERC) by July 1 for each preceding year.

Which facilities must submit Toxic Chemical Release Inventory forms?

EPA's "Toxic Chemical Release Inventory Reporting Form R and Instructions" provides guidance on how to determine if your facility must submit a report. Either Form A or Form R must be sent to the EPA and SERC if a facility is required to comply with EPCRA §313. Choosing the correct EPA Form depends on the type and quantity of chemicals at the facility.

Criteria for reporting a chemical with Form R:

- facility has 10 or more full-time employees; **and**
- facility is included in Standard Industrial Classification (SIC) codes 10, 12, 20-39, 4911, 4931, 4939, 4953, 5169, 5171, 7389¹ or is a federal facility; **and**
- chemical is subject to reporting under Section 313 column of SARA Title III "List of Lists"² (i.e. is a listed chemical), which is also listed in 40 CFR 372.65; **and**
- facility manufactures or processes more than 25,000 pounds/year of a listed chemical or facility otherwise uses more than 10,000 pounds/year of a listed chemical³; **and**
- facility has an "annual reportable amount"⁴ of more

than 500 pounds; **or**

- facility has an "annual reportable amount" less than 500 pounds **but** facility manufactures, processes, **or** otherwise uses more than 1 million pounds⁵.

Criteria for reporting a chemical with Form A:

- facility meets all the criteria previously mentioned for Form R except...
- facility has an "annual reportable amount"⁴ of less than 500 pounds⁶; **and**
- facility manufactures, processes, **or** otherwise uses less than 1 million pounds⁵.

A flow chart for determining applicability of EPCRA §313 requirements is provided at the end of this Tech Guide.

Where do facilities send the forms?

Facilities must report the quantities of both routine and accidental releases of listed toxic chemicals, the maximum amount of each chemical on-site during the calendar year and the amount contained in wastes transported off-site. The reports are sent to the EPA and the SERC in a written or electronic format.

The Georgia SERC contact information is:

Judson H. Turner, Director
Georgia Environmental Protection Division
Director's Office
2 Martin Luther King Jr Dr SE Ste 1456 East
Atlanta, Georgia 30334-9074

The EPA address is as follows:

U.S. Environmental Protection Agency
Attention: TRI Reporting Center
P.O. Box 10163
Fairfax, VA 22038

What is the Hazardous Substance Reporting Fee?

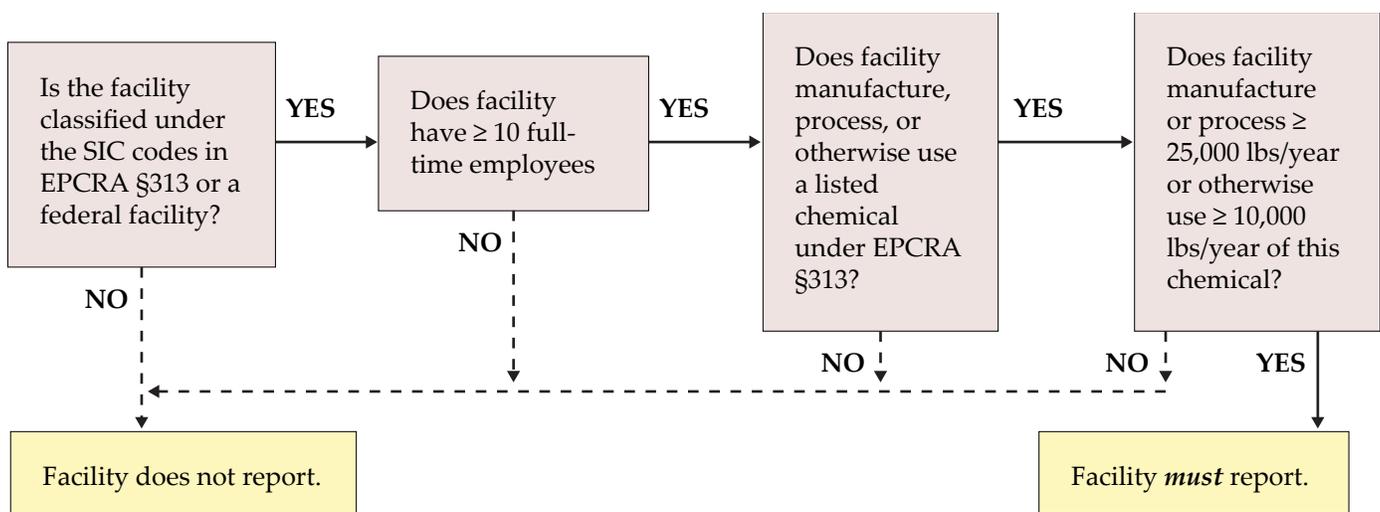
The Georgia Environmental Protection Division (EPD) institutes a hazardous substance reporting fee associated with the EPCRA §313 submittal. This fee is due July 1 of each year. The basic fee schedule is: \$575 annually for §313 reported releases between 1 and 999 pounds; \$1150 annually for §313 reported releases between 1,000 pounds and 10,000 pounds; and \$1725 annually for §313 reported releases greater than or equal to 10,000 pounds. Fees are based upon total pounds released annually.

For More Information

- Visit EPA's Toxics Release Inventory homepage at <http://www2.epa.gov/toxics-release-inventory-tri-program>
- You can also obtain a copy of SARA Title III "List of Lists," Form R, Form A, and instructions by calling the EPCRA Hotline at 800-424-9346 or 703-412-9810.
- Information on Georgia's Hazardous Substance Reporting Fee can be found in Section 3.0 of the *Guidelines for Calculating Hazardous Waste Management Fees and Hazardous Substance Reporting Fees*, located at: http://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/fee_guide.pdf or by calling the EPD Hazardous Site Response Program at 404-657-8600.

- Contact the Georgia Environmental Compliance Assistance Program (GECAP) at Georgia Tech by calling 404-407-8082.
- For related information see the following GECAP Tech Guides: [EPCRA Sections 302-303](#); [EPCRA Section 304](#); [EPCRA Sections 311 and 312](#); and [EPCRA](#).

- ¹ Exemptions and limitations associated with certain SIC codes. Refer to the EPA's "Toxic Chemical Release Inventory Reporting Forms and Instructions" for more details.
- ² "Title III List of Lists" is a consolidated list of chemicals subject to the Emergency Planning and Community Right-to-Know Act (EPCRA) and Section 112(r) of the Clean Air Act.
- ³ "Manufactures," "processes," and "otherwise uses" have activity thresholds and are defined thoroughly in EPA's "Toxic Chemical Release Inventory Reporting Forms and Instructions."
- ⁴ An "annual reportable amount" is a total of all releases including all quantities used for energy recovery on site and off site, recycled on site and off site, and treated on site and off site.
- ⁵ Facilities that release less than 500 pounds of a listed chemical are eligible for the "alternative threshold" of 1 million pounds manufactured, processed, or otherwise used. The "alternative threshold" is applied per chemical for each different activity.
- ⁶ If facility has no release, the owner and/or operator is still required to submit a Form A according to §313 EPCRA.



Updated 9/2014