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 RES - KGA - JEN - RAS^R

To: F. G. Jeanson

From: K. G. Akins
 Date: July 6, 1992

Interoffice
 Communication

Subject: **SARA AND CERCLA RELEASE REPORTING**

Kenny
 We should discuss
 this with Long & Ted
 soon to determine
 action we
 should take in
 VISTA

nothing
 any changes
 here.
 BJS

I recently attended a SARA Title III seminar presented by the EPA Region IV in Atlanta. One of the topics was the reporting of chemical releases subject to CERCLA and/or SARA reporting. I thought the information from this presentation was worth passing on to you.

The EPA defines the word "immediate" as it is used in when to notify emergency agencies as within 15 minutes. After anyone at your facility becomes aware of a reportable release in excess of the reportable quantity, someone must notify the appropriate agencies within 15 minutes.

Obviously this gives little time for calculations of quantities released, emergency response activities, or anything else for that matter. They said you should make the call regardless within 15 minutes with an estimate of a released quantity. This same point was stressed several times by several speakers throughout the day.

In the assessment of penalties for late reporting (past 15 minutes), the EPA uses time of time of reporting combined with amount of chemical released to establish a monetary penalty. The definitions and resultant penalty matrix are given below:

- Level 1: No notification within two hours.
- Level 2: No notification within one hour but within two hours.
- Level 3: No notification within 15 minutes but within 1 hour.
- Level A: The amount released was greater than 10 times the reportable quantity (RQ).
- Level B: The amount released was greater than 5, but less than 10 or equal to 10 times the RQ.
- Level C: The amount released was greater than 1, but less than 5 times the RQ.

	LEVEL A	LEVEL B	LEVEL C
LEVEL 1	\$20000-\$25000	\$13200-\$16500	\$6600-\$8250
LEVEL 2	\$13200-\$16500	\$5000-\$6250	\$3600-\$4500
LEVEL 3	\$6600-\$8250	\$3600-\$4500	\$2000-\$2500

As always, multi-day penalties can be applied as each passing day constitutes a violation.

It was also interesting to find out that reporting of releases can and does prompt chemical safety audits and SARA\EPCRA audits from EPA Region IV.

Kenneth G. Akins

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Senior Environmental Coordinator

C: RWS, JEN, GWW

THE ONLY THING HOLDING ME BACK FROM TRAINING GUARDS TO MAKE THE INITIAL CALL IS STILL THE LEAK VS RELEASE DECISION AND THE NEED TO REPORT AT ALL. NON-REQUIRED REPORTING CAN LEAD TO AUDITS. MAYBE FOR NOW, UNTIL WE FIGURE OUT A PERMANENT SOLUTION WE SHOULD STRESS TO OPERATIONS THAT THEY SHOULD NOTIFY THE GUARD IMMEDIATELY SO THEY CAN BEGIN GOING DOWN A CALL LIST TO SOMEONE WHO CAN MAKE THE DECISION AND CALL APPROPRIATE AGENCIES ASAP. MAYBE THIS IS A PERMANENT SOLUTION. COMMENTS?