

Chemical Emergency Planning and Community Right-to-Know

Policy

All DHS locations must develop, effectively maintain, and review annually a Chemical Emergency Planning and Community Right-to-Know plan according to the guidelines and procedures established in this policy.

Authority

- MS115D Minnesota Toxic Pollution Prevention Act
- MS 15.061 Duty to Notify and Avoid Water Pollution
- Minnesota Rules, part 5206, Employee Right-to-Know
- 29CFR 1910.120, Hazardous Waste Operations and Emergency Response
- Superfund Amendments and Reallocation Act of 1986 (SARA), Title III, Sections 301-313.

Purpose

To ensure that regulatory agencies, emergency responders, and communities near DHS locations are aware of the presence of, or are notified about the accidental release of hazardous chemicals, and to ensure that DHS facilities are aware of the procedures to follow during a chemical emergency.

Definitions

Chemical Emergency Coordinator: The employee, designated by the Regional or Site Administrator/Designee, who will administer compliance with the SARA Title III requirements.

Emergency Planning and Community Right-to-Know Act Program (EPCRA): The Department of Public Safety state agency division responsible for enforcing SARA Title III regulations and chemical emergency planning.

Extremely Hazardous Substances (EHS): Items on the SARA Title III list that may present an extreme hazard to the facility or community.

Hazardous Chemical: Any chemical that is a physical or health hazard (includes gasoline, fuel oil, and propane).

Material Safety Data Sheet (MSDS): A sheet that contains the specific hazardous product information required by Minnesota Rule 5206.0800.

Reportable Quantity (RQ): Amount of EHS at each facility that requires official notification if it is accidentally released.

Threshold Planning Quantity (TPQ): Amount of EHS at each facility that requires specific emergency response planning and official notification.

RESPONSIBILITIES/PROCEDURES:

- The Regional Administrator/Designee must assign a facility Chemical Emergency Coordinator (CEC) to implement this policy.
- Each facility must conduct a survey to identify all chemicals, to obtain approximate quantities, and ensure that an MSDS is available for each chemical.
- Chemicals no longer used or needed must be disposed of properly. Assistance may be requested from the [MN Technical Assistance Program](#).
- The CEC must compare the facility chemical survey list and the chemical quantities identified with the EHS and [Hazardous Chemical list](#) (PDF).
- Chemicals listed on the EHS list that are at or above the noted Threshold Planning Quantity (TPQ) must be identified. If feasible, the amount of identified chemicals should be reduced to a level below the TPQ. If the amount cannot be reduced, the following steps must be performed:
 - The facility CEC must complete and submit to the EPCRA the SARA Title III Notification Letter (Attachment I). Any changes to the quantities or chemicals must be updated within 60 days.
 - The facility CEC must complete and submit to the EPCRA and to the local fire department the Hazardous Chemical Report Form (Attachment II) of EHS chemicals at or above the Threshold Planning Quantity or 500 pounds, whichever is less, and hazardous chemicals more than 10,000 pounds. The information must be updated within 90 days when the type of hazardous chemical more than 10,000 pounds changes at the facility, or if the facility begins to store an EHS above the Threshold Planning Quantity. (e.g. 10,000 pounds of gasoline = 1613 gallons; fuel/diesel oil = 1502 gallons; propane = 2358 gallons)
 - The facility CEC must complete and submit to the EPCRA and local fire department by March 1 of each year the Tier Two Chemical Inventory Form (Attachment III) of chemicals at or above the Threshold Planning Quantity or 500 pounds, whichever is less, and all hazardous chemicals more than 10,000 pounds. Also submit the appropriate registration fee, (e.g., 1-9 chemicals \$25.00 to the EPCRA)
 - If an amount equal to or over the Reportable Quantity of any of the identified EHS chemicals is released into the environment, or if any amount of any chemical that may cause pollution in any ground or surface water is released into the environment, the following emergency notification requirements must be followed.
 - All spills/releases of hazardous materials, whether or not they involve Reportable Quantities, must be reported to the State Duty Officer.

- Immediately dial 911 and state the nature of the emergency, include the following information:
 - Chemical name.
 - Indication of whether the substance is extremely hazardous.
 - An estimate of the quantity released into the environment.
 - Time and duration of the release.
 - Whether the release occurred into air, water and/or land.
 - Any known or anticipated acute or chronic health risks associated with the release and advice regarding medical attention for exposed individuals.
 - Proper exposure precautions (sheltering, evacuation).
 - Name and phone number of contact person.
- Contact, with the above information the Minnesota Duty Officer (outside Metro) 1-800-422-0798; (Metro) 651-649-5451.
- Contact State Operated Services and/or MSOP as per their incident Reports Policy.
- Complete an Emergency Release Follow up Report (Attachment IV) and send it to the EPCRA and your Local Emergency Planning Committee.

References

- Attachment I - SARA Title III Notification Letter Format
- Attachment II - Hazardous Chemical Report Form*
- Attachment III - Tier Two Chemical Inventory forms*
- Attachment IV- Emergency Release Follow-Up Report*

*Obtain at <http://www.epcra.state.mn.us/saratitleIII/sara2004.pdf>

- DHS Policy Employee Right to Know Program
- DHS Policy Respiratory Protection Program

Cancellations

This policy supersedes DHS Policy dated January, 2008.

Policy Contact:

Name: [Michelle Lakso](#), Safety and Health Manager

Phone: (651) 231-2975