

**EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT (EPCRA)
SECTION 302/303 EMERGENCY PLANNING AND NOTIFICATION**

1. WHO IS COVERED?

Every facility, regardless of private or public sector status or the number of employees, is subject to the requirement.

2. WHAT MUST BE DONE?

Every facility owner/operator is obligated to review the Extremely Hazardous Substance List and determine if any of the substances are present onsite at or above their assigned threshold planning quantities. If one or more of the substances are present, the State Emergency Response Commission (SERC) and local emergency planning committee (LEPC) must be notified. The facility also must notify the LEPC of a facility representative who will participate in the emergency planning process. Upon request from the LEPC, the facility shall promptly provide information to the LEPC necessary for developing and implementing the emergency plan. The Section 302 Extremely Hazardous Substances are listed in the Environmental Hazardous Substance documents located at:
<http://www.nj.gov/dep/opppc/figdoc.htm#p2>.

3. HOW SHOULD NOTIFICATION BE DONE?

A letter should be sent to both the SERC and the LEPC giving the company name and location address (not mailing address, if different from location); an emergency contact person at the facility, with both a work phone number and an after hours phone number; and the substance(s) present onsite that meet the threshold planning quantities.

4. WHEN SHOULD THIS NOTIFICATION BE DONE?

Any facility that has any of the listed chemicals at or above its threshold planning quantity must notify the SERC and LEPC within 60 days after they first receive a shipment or produce the substance on site, or become aware of new information concerning a hazard associated with a material.

5. WHERE THIS NOTIFICATION SHOULD BE DONE?

Both the State Emergency Response Committee (SERC) and the respective local emergency planning committee (LEPC) should be notified. The notification must be sent to the SERC at the following address:

Mail Code 401-04N
NJDEP/BLEM&RTK
PO Box 420
Trenton, NJ 08625-0420

6. WHY MUST THIS REPORTING BE DONE?

The Superfund Amendments and Reauthorization Act (SARA) Title III (42 U.S.C. 11001 et seq.), also known as the Emergency Planning and Community Right to Know Act (EPCRA), requires emergency planning to be done by every LEPC, and the notification process is one of the primary requirements for development of these plans.

Example of Emergency Planning Notification Section 302

MY OWN LETTERHEAD COMPANY
100 Main Street
Hometown, New Jersey 08000-0100

DATE

Mail Code 401-04N
NJDEP/BLEM&RTK
PO Box 420
Trenton, NJ 08625-0420

ATTN: State Emergency Response Commission

My company is subject to emergency planning under Section 302 of EPCRA.

We have the following compounds above their threshold planning quantities.

1. Formaldehyde
2. Hydrazine
3. Phosphorous

Further, as required by Section 303 of EPCRA, I am notifying you that my emergency response coordinator is Mr. Paul Revere, Jr. and he can be reached at 609/555-4321 during work hours and at 609/555-6789 after business hours.

Sincerely,

M. Own
President