

Public Access to EPCRA Reports

The following is a summary of information that should be available upon request to the public under EPCRA. LEPCs should have a written process for responding to requests from the public and a designated point of contact.

Emergency Response Plan Developed by LEPCs and TEPCs

LEPCs and TEPCs should provide citizens in their community access to the emergency response plan and encourage them to attend meetings to discuss procedures for citizens to follow in case of a chemical emergency. As required by the statute in EPCRA Section 301(c), one of the functions of the LEPCs and TEPCs is to establish rules for the organizations, which include holding public meetings to discuss the emergency plan. These meetings can also help educate the public on what to do during an emergency and how they will be notified (ex: tv or radio announcements).



Follow-up Emergency Notice (Follow-up Written Report).

As required under Section 304(c) of EPCRA, facilities are required to submit a follow-up report on any accidental releases of any EHSs or CERCLA hazardous substances for which they made an initial notification to the SERC or TERC and LEPC or TEPC. This follow-up report should be made available to the public. This report should be submitted by facilities within 30 days, but some states require fewer than 30 days.



Material Safety Data Sheet (MSDS) or Safety Data Sheet (SDS) or List of Hazardous Chemicals Received under Section 311(a)(2).

Citizens in your community may request MSDSs (SDSs) and/or the list of hazardous chemicals submitted by facilities near their home or local schools. Facilities have the option to either submit MSDSs (SDSs) or a list of hazardous chemicals held above the reporting thresholds. If LEPCs and TEPCs do not have the MSDSs (SDSs), they may request them from facilities.

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Inventory Form Submitted Under Section 312 (“Tier II”)

The hazardous chemical inventory form (Tier II or the state equivalent) received under Section 312 should also be made available to the public. However, community members must request information for a specific facility. SERCs, TERCs, TEPCs, and LEPCs must respond to requests within 45 days after the request.



Notice of Public Availability

Section 324(b) of the statute states that LEPCs and TEPCs should publish a notice in local newspapers that the emergency plan, MSDs (SDSs), and inventory forms are available for the community to review. Such notices shall include the location of the reading room, if established, and the hours of operation.

In addition to (or in lieu of) publishing a notice in local newspapers, EPA encourages LEPCs and TEPCs to develop a website for their organization of any activities planned, such as discussion of the emergency response plan, explanation of chemical risks and schedules for emergency plan exercises, etc. LEPCs and TEPCs may also post notices in public institutions, libraries, city hall and other places where the public normally gather or visit. You may also publish fact sheets or brochures to provide to the public. You may request assistance from your state/tribe or EPA.

