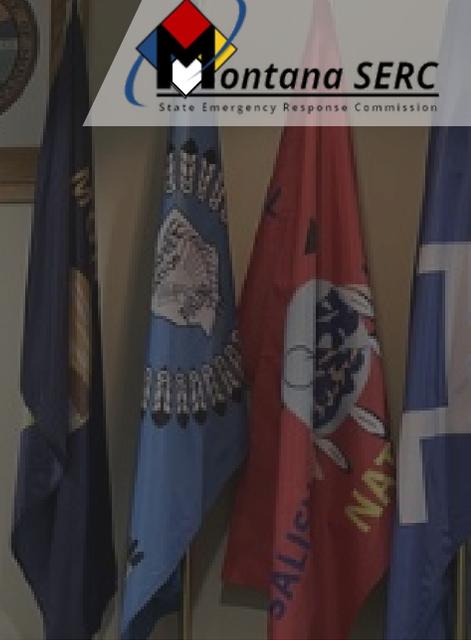
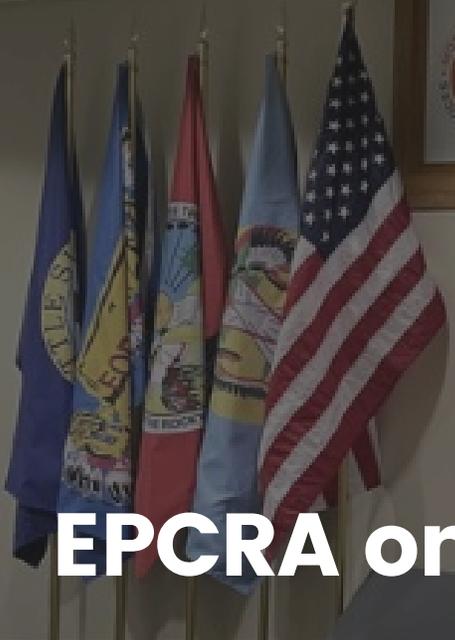




MONTANA
DISASTER & EMERGENCY SERVICES



EPCRA on Tribal Lands

All federally recognized tribes have the same responsibilities as states for implementing EPCRA. On July 26, 1990, the Environmental Protection Agency (EPA) published a final rule designating Indian Tribes and their chief executive officers as the implementing authorities for EPCRA on all Tribal lands.

The EPA's policy is to work with Tribes on a "government to government" basis in implementing the requirements of EPCRA.

EPCRA Major Provisions That Tribes Should Consider:

-  Planning for chemical emergencies.
-  Emergency notification of chemical accidents and releases.
-  Reporting of hazardous chemical inventories.
-  Toxic chemical release reporting.

Contact Us

 (406) 324-4777  mtserc@mt.gov  des.mt.gov/Response/SERC1

EPCRA on Tribal Lands

Sections 301–303

The emergency planning provisions of Sections 301–303 are designed to help Tribes prepare for and respond to chemical emergencies occurring on Tribal lands that involve extremely hazardous substances (EHSs). The chief executive officers of federally recognized Tribes must appoint Tribal Emergency Response Commissions (TERCs), responsible for carrying out the provisions of EPCRA in the same manner as State Emergency Response Commissions (SERCs). Facilities are also required to report to TERCs in much the same way they are for SERCs.

TERC Alternatives

Alternatively, Tribal leaders can join a Tribal Coalition which functions as the TERC or establish a Memorandum of Understanding with a state to participate under the SERC.

TERCs establish emergency planning districts and can appoint Local Emergency Planning Committees (LEPCs) or act as TERCs/LEPCs, performing the functions of both. LEPCs use information collected under EPCRA to develop local emergency response plans to respond quickly to chemical accidents.

The chief executive officer should ensure that TERCs maintain a broad-based representation, including Tribal public agencies and departments dealing with environmental, energy, public health and safety issues, as well as other tribal community groups with interest in EPCRA.

The Tribal LEPC should also be representative of the community, and should include elected Tribal officials, fire chiefs, Indian Health Services officials, Bureau of Indian Affairs officials, Tribal elders and leaders, representatives of industries on or near the reservation, and members of the general community.

