

Reporting the Release of Hazardous Materials

Release reporting is required by several state and federal laws. The Hazardous Materials Division, as the local CUPA, is responsible for ensuring that persons, who are required by law or regulation to report a release, do make an accurate report in a timely manner.

What is a reportable release of hazardous materials?

There are two types of hazardous materials releases that must be reported; a threatened release and a significant release.

A threatened release is not a release. It is a condition that creates a substantial probability of harm and makes it reasonably necessary to take immediate action to prevent, reduce, or mitigate damages to persons, property, or the environment. For example:

- *A hazardous material or waste storage tank becomes unstable, and it begins to tilt off center or lean to one side. The tank is in danger of falling over and releasing its contents to the floor or ground.*
- *A valve on a tank or on piping has corroded and it could fail under normal operating conditions.*

A significant release is subjective. All significant releases must be reported.

Whether a release is significant depends on a variety of factors, including the following: *the amount, the hazardousness of the material or waste, and/or the proximity of sensitive receptors such as schools, nursing homes, etc.* See checklist below for examples of reportable and non-reportable releases.

Reporting a release

After the initial immediate measures have been taken to protect human health and the environment, *report the release at once to the following agencies in accordance with State and Federal law.

1. Call 911 for emergency assistance. This usually results in a fire department response and the local CUPA
2. Call California Emergency Management Agency (Cal EMA), 800-852-7550, 916-845-8991
3. Call the local CUPA at 858-505-6657
4. If a release exceeds the federal reportable quantity (RQ), call the National Response Center (NRC), 800-424-8802.

Mandatory release reports

A release of a reportable quantity (RQ) of a hazardous material must be reported. RQs are listed in the CERCLA "List of Lists". This document is maintained by the United States Environmental Protection Agency and is available at <http://www.epa.gov/ceppo/pubs/title3.pdf> Another way to determine if a RQ has been exceeded is to use the Department of Energy's RQ calculator, an online tool at <http://homer.ornl.gov/rq/>

NOTE: Ensure that adequate and appropriate spill containment and mitigation equipment is on hand. It is advisable to periodically check all the hazardous materials stored or used at a facility. Determine the RQs and likely release reporting scenarios in advance. This information could be included in the facility release reporting notification procedures. Flow charts or a list of questions might aid facility personnel in this task.

Determining if a release is reportable. These sample questions can be used to determine if a release is reportable:

Is it a hazardous material?

This can be any hazardous substance used in your business or any hazardous waste that is generated by your business.

Is there a threatened release?

Was it necessary to take immediate action to prevent, reduce, or mitigate damages to persons, property, or the environment?

Is there an actual significant release?

Is the release reportable per federal or state laws and/or regulations?

Examples of significant releases	Examples of Releases <u>within</u> a facility's boundaries that that may not be significant:
<input type="checkbox"/> <i>Hazardous material releases that exceed reportable quantities, or</i> <input type="checkbox"/> <i>Result in an emergency response, or</i> <input type="checkbox"/> <i>Cause injury, or</i> <input type="checkbox"/> <i>Go offsite, or</i> <input type="checkbox"/> <i>Are released into the environment</i>	<input type="checkbox"/> <i>Present no health or safety hazard, or</i> <input type="checkbox"/> <i>Do not harm environment, or</i> <input type="checkbox"/> <i>Do not enter atmosphere, or</i> <input type="checkbox"/> <i>Are completely contained onsite</i> <input type="checkbox"/> <i>Are completely recovered or removed quickly, or</i> <input type="checkbox"/> <i>Do not require additional PPE to be worn</i>

How to follow up after a release:

- Revise the initial release report as necessary to accurately portray the situation.
- Review and revise release response plans if they were not completely effective tools during the emergency.

*For additional hazardous materials release reporting information, review the 2010 California Emergency Management Agency's Hazardous Materials Spill/Release Notification Guidance at: [http://www.oes.ca.gov/WebPage/oeswebsite.nsf/ClientOESFileLibrary/Hazardous%20Materials/\\$file/Spill%20Notification%20Booklet%20Aug-2010.pdf](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/ClientOESFileLibrary/Hazardous%20Materials/$file/Spill%20Notification%20Booklet%20Aug-2010.pdf) or you may call the Hazardous Materials Duty Desk for San Diego County for a referral to your area's inspection staff at 858-505-6880.