



Changes in Kentucky SARA Title III Emergency Plans

By Patricia Mason, PE

The Emergency Planning and Community Right-to-Know Act (EPCRA) Section 302 emergency response plans are changing in Kentucky. EPCRA is Title III of the Superfund Amendments and Reauthorization Act (SARA). EPCRA serves a critical role to get facility hazardous material storage information to the community and emergency responders. In the past, emergency plans required by Section 302 have been called Tab Q-7 Plans because they were compiled into Annex Q-7 of the county plan. Changes are being made to transition the plans to a slightly revised format and a new name. The plans are now called EHS Facility Emergency Response Plans or EHS Facility Plans. If your facility stores an extremely hazardous substance (EHS) at or greater than the threshold planning quantity (TPQ), then emergency planning with the Local Emergency Planning Committee (LEPC) is required. EHSs and their respective TPQs are listed in Appendices A and B to [40 CFR Part 355](#) as amended. You can also find this information in the [EPA List of Lists](#).

The most common EHS that I see facilities overlook is sulfuric acid. Its TPQ is 1,000 pounds. If your facility has battery banks, fork lifts, golf carts, or other equipment with lead acid batteries, I recommend that you check and document the amount of sulfuric acid on site. For large industrial batteries, I recommend you look up specific quantities or contact the vendor. A rough estimate is that about 18% of the total lead acid battery weight is sulfuric acid. Alternatively, if you know the amount of electrolyte, you can estimate that the sulfuric acid weight is typically 1/3 to 1/2 of the electrolyte weight. It's not unusual for a single battery-powered forklift to contain over 200 pounds of sulfuric acid, so many facilities are subject to this requirement simply because of batteries in equipment on site. Commercial batteries (small batteries which can be purchased at various retail locations and automotive supply stores) are exempt from EPCRA Section 312 inventory reporting (also known as Tier II reporting), but Sections 302 and 303 do not contain that exemption. Thus, even a facility which only has car batteries on site is technically subject to emergency planning provisions if the total amount of sulfuric acid is at least 1,000 pounds. This presents a headache for both facilities and emergency planners since a release of a single car battery represents a very low risk to the community and the likelihood of a simultaneous release of large numbers of vehicle batteries is very low. If in doubt about your requirement to participate, contact me or your local LEPC Chairman. The [Kentucky 2017 "EPCRA How To Comply" Packet](#) includes a list of all LEPC county chairs with contact information and information regarding EPCRA Section 312 reporting.

For EPCRA Sections 302 and 303 compliance, Kentucky facilities can refer to the [Kentucky Emergency Management SARA Title III webpage](#) for more information. A DRAFT version of the [Emergency Response Planning Guide for EHS facilities: Self-Study Manual](#) is available online. A plan template can be downloaded (Form 301-PT EHS Facility Emergency Response Plan Template). Additionally, the [webpage](#) includes downloads of a review checklist and sample plan. EPA provides a free program called [CAMEO® \(Computer-Aided Management of Emergency Operations\)](#) which can be used to estimate the vulnerable

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March 2017*

zone for spill response planning and generate the required maps. A training PowerPoint is also available [HERE](#) which includes details of required plan elements.

Be aware of changes during the transition and of a new deadline next year. "After initial submission and approval of the EHS Facility Emergency Response Plan, each March 1 any facility that has an extremely hazardous substance in excess of the threshold planning quantity (TPQ) shall review the EHS Facility Emergency Response Plan and send a Facility Annual Certification Letter (FACL) to the local emergency planning committee stating that there were no changes and therefore the EHS Facility Emergency Response Plan is correct as is; or the EHS Facility Emergency Response Plan has been revised and the revisions are included with the FACL." ([DRAFT Emergency Response Planning Guide for EHS Facilities Self-Study Guide, p. 17](#)).

For more information about EPCRA, visit the [EPA EPCRA website](#). If you'd like to discuss your program and potential ways we can help, contact:

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