



## Release Notification Requirements in Michigan

*While diligent efforts have been made to assure that the information provided in the following table is accurate and complete, there is no guarantee that it covers all of the regulatory requirements for release notification and reporting in Michigan.*

**Chemical releases** in Michigan are potentially reportable under one or more of twenty-seven different state and federal regulations. Determining which regulations apply to a specific release can be an overwhelming task. The “Release Notification Requirements in Michigan” table was compiled by the Michigan SARA Title III Program staff in the Department of Environmental Quality (DEQ) to help owners and operators of facilities in Michigan, including vehicles and farms, determine their potential notification and reporting requirements in the event of a chemical release.

Check your permits, licenses, registrations, pollution prevention plans, and local ordinances for *additional* release reporting requirements. In particular, all National Pollutant Discharge Elimination System permits and most air permits have release reporting requirements in them that are not included on this table.

This table should be used as a tool to identify potential reporting requirements before a release occurs, and to identify follow-up reporting requirements based on the release. The table outlines **what** releases must be reported, **when** they must be reported, and **to whom** they must be reported.

### What Is a Chemical Release?

The term “release” means spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing. “Chemical” includes substances considered to be toxic or hazardous, as well as substances as seemingly harmless as salad oil.

### Chemical Lists

The U.S. Environmental Protection Agency (U.S. EPA) published a consolidated list of chemicals subject to SARA Title III, Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), and Section 112(r) of the Clean Air Act called the “List of Lists.” The List of Lists (March 2015 Version) is located in Appendix B of this guidebook. It is also available as a Microsoft Excel file via the following U.S. EPA link: [www2.epa.gov/epcra/epcracerclacaa-ss112r-consolidated-list-lists-march-2015-version](http://www2.epa.gov/epcra/epcracerclacaa-ss112r-consolidated-list-lists-march-2015-version).

The “List of Lists” includes:

- **CERCLA Hazardous Substances**, including Resource Conservation and Recovery Act waste streams and unlisted hazardous wastes, with Reportable Quantities (RQ) for releases (originally published in 40 CFR 302, Table 302.4).
- **SARA Title III Extremely Hazardous Substances** (EHS) with RQs for releases (originally published in 40 CFR 355, Appendix A).
- **SARA Title III Section 313 Toxic chemicals** (originally published in 40 CFR 372 Subpart D).

The Part 5 Rules, Spillage of Oil and Polluting Materials, were promulgated pursuant to Part 31 of Michigan’s Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). These rules include a list of “polluting materials” with threshold reporting quantities for releases. The Part 5 Rules are posted in Appendix C of this guidebook.

## NOx Exemption in CERCLA and SARA Title III

The U.S. EPA finalized an exemption for certain releases of emissions of nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>) (collectively nitrogen oxides or NOx) to air from CERCLA and SARA Title III reporting requirements (71 FR 58525). The exemption was effective November 3, 2006, and applies to releases to the air of less than 1,000 pounds of NOx in 24 hours that are the result of combustion. The exemption also applies to emissions from combustion-related activities such as detonation or processes that include both combustion and non-combustion operations (e.g., nitric acid production).

## Petroleum Exclusion in CERCLA

Petroleum, including crude oil or any fraction thereof is excluded from the definitions of "hazardous substance," and "pollutant or contaminant" under CERCLA. Petroleum releases, accordingly, must generally be addressed under the authority of other law, such as the underground storage tank (UST) provisions of RCRA, or the Clean Water Act (CWA). This exception, which has become known as the "**petroleum exclusion**," plays a significant role in CERCLA because many sites contain petroleum contamination. Petroleum frequently contains specific listed hazardous substances, the most common of which are benzene, toluene and xylenes. In general, such substances are not treated as CERCLA hazardous substances, as long as they are found in refined petroleum fractions and are not present at levels that exceed those normally found in such fractions. Substances present in petroleum as a result of contamination during use or from mixing or combining are not within the petroleum exclusion, and in such cases, the substances are considered CERCLA hazardous substances.

NREPA Part 201, Environmental Remediation, Section 20114(1)(b) states that the requirements to report a release under this regulation apply to "reportable quantities of hazardous substances established pursuant to 40 CFR 302.4 and 302.6" This regulation references the listed hazardous substances published in the Code of Federal Regulations. It does not adopt the petroleum exclusion that applies to federal regulation of releases of CERCLA hazardous substances. As a result, petroleum constituents, including component substances such as benzene, toluene, and xylenes, plus any additives (e.g., MTBE, lead) are all reportable under Part 201, based on the reportable quantities in the CERCLA list of hazardous substances published in 40 CFR 302.4 and 302.6. See the release calculation example at the end of this chapter.

## Initial Notification: There is NO PENALTY for over-reporting!

When there is a release, determining if, when, and to whom it should be reported can be a daunting task, even if you are familiar with the table. It is therefore recommended that if there is a release, immediately call the three numbers in the box to the right, even if the content or quantity of the released material has not yet been determined:

You can then respond to the release, reassess the situation, and make additional notifications as required (e.g., as specified in the table or in your permits). Your follow-up report will provide details that explain why a release was or was not reportable.

### Post These Numbers by Every Phone!

**911** to notify Local authorities

**800-292-4706** (PEAS) to notify State authorities

**800-424-8802** (NRC) to notify Federal authorities

SARA Title III Section 304 requires that the LEPC be notified immediately of a release. Many LEPCs accept the call to 911 as notification. Others require direct notification. Contact your LEPC in advance to find out their requirements.

## Written Follow-up Report

Written follow-up report forms that are specified in the table are required by regulation. The DEQ has developed a generic written report form called “Spill or Release Report” (EQP 3465) that can be used to report releases of:

- Hazardous and extremely hazardous substances under SARA Title III.
- Hazardous waste under NREPA Part 111.
- Liquid industrial waste under NREPA Part 121.
- Hazardous substances under NREPA Part 201.
- Polluting materials under NREPA Part 31, Part 5 Rules.

### Hot Tip!

Use the generic Spill or Release Report form to record *initial* notifications.

Links to the release reporting forms and chemical lists referenced in the table are available on the [DEQ release reporting website \(www.michigan.gov/chemrelease\)](http://www.michigan.gov/chemrelease). Visit this site for updated DEQ and LEPC contact information.

**NOTE:** Executive Order 2012-14 transferred the DEQ storage tank program to the Bureau of Fire Services in the Michigan Department of Licensing and Regulatory Affairs. Phone numbers and email addresses associated with the storage tank program and staff have not changed.

For information regarding a specific regulation, contact the agency specified in the “notes” column of the table. If this is a DEQ division, contact the district division office. See Appendix D for district offices.

General questions or comments regarding this table should be directed to the DEQ Environmental Assistance Center at 800-662-9278 or [deq-assist@michigan.gov](mailto:deq-assist@michigan.gov).

DEQ program information is available at [www.michigan.gov/deq](http://www.michigan.gov/deq), or you may contact the DEQ Environmental Assistance Center.

DEQ Release Reporting website:  
[www.michigan.gov/chemrelease](http://www.michigan.gov/chemrelease)

*Acronyms are defined at the end of the table.*

# Release Notification Requirements in Michigan\*



Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>SARA Title III Section 304 40 CFR 355.40 <b>(EHS &amp; Hazardous Substances)</b></p>	<p>Release of a CERCLA <b>hazardous</b> substance (40 CFR 302, Table 302.4) or <b>Extremely Hazardous</b> Substance (EHS) (40 CFR 355, Appendix A) from a facility (all buildings, equipment, etc. located on a single site or adjacent sites owned or operated by the same person) at which a hazardous chemical (as defined under 29 CFR 1910.1200(c)) is used, produced or stored (including motor vehicles, rolling stock, and aircraft) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hr period that migrates beyond the facility boundaries.</p> <p>Includes continuous release reportable under CERCLA Section 103.</p> <p>Excludes release that is federally permitted or that results in exposure to persons solely within the boundaries of the facility. See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p> <p>Excludes release &lt; 1000 lbs of NOx released to the air from combustion or combustion-related activities.</p>	<p>Immediate (within 15 minutes after discovery) to: LEPC(s) of any area(s) potentially affected, and SERC (<i>DEQ PEAS line accepts notification on behalf of SERC</i>) by owner or operator.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08): Only CAFOs are required to report continuous releases to the air from animal waste.</p> <p>Transportation related releases can be reported to 911.</p>	<p>As soon as practicable (within 30 days) after release: to LEPC(s) and SERC.</p> <p>Not required for releases that occur during transportation or from storage incident to transportation.</p> <p>For continuous releases: Initial written within 30 days after initial telephone notification: to LEPC(s) and SERC.</p> <p>Michigan SARA Title III Program accepts reports on behalf of the SERC.</p>	<p>PEAS: 800-292-4706</p> <p>Contact your LEPC for a phone number to report releases.</p> <p>Call 911 if your LEPC is not active.</p> <p>For further information &amp; LEPC contact information, contact Michigan SARA Title III Program 517-284-7272</p>
<p>CERCLA Section 103 40 CFR 302 <b>(Hazardous Substances)</b></p>	<p>Release into the environment of a CERCLA <b>hazardous</b> substance (40 CFR 302, Table 302.4) or hazardous constituent in a mixture or solution (including hazardous waste streams) from a vessel or facility (any building, structure, etc. including motor vehicles, rolling stock, aircraft, pipe, pipeline, well, pond, lagoon, impoundment, ditch, landfill, or site where a hazardous substance has come to be located) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hour period.</p> <p>Excludes petroleum, including oil, or any fraction thereof.</p> <p>See 40 CFR 302.6 for notification requirements for radionuclide releases.</p> <p>Includes continuous release: occurs without interruption or abatement or that is routine, anticipated, and intermittent and incidental to normal operations or treatment processes.</p> <p>See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions. See 71 FR 58525 (10/4/06) re Exemption for NOx releases to the air of &lt; 1000 lbs from combustion or combustion-related activities.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p>	<p>Immediate (within 15 minutes after discovery) to: NRC by person in charge of vessel or offshore or onshore facility.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08) re Exemption from reporting continuous releases to the air from animal waste.</p>	<p>For continuous releases only: Initial written within 30 days after initial telephone notification &amp; Follow-up within 30 days of first anniversary of initial written notification to: U.S. EPA Region 5.</p>	<p>NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil">www.nrc.uscg.mil</a></p> <p>For further information contact Michigan SARA Title III Program 517-284-7272 or U.S. EPA's Superfund, TRI, EPCRA, RMP, and Oil Information Center 800-424-9346</p>

Table prepared by the Michigan SARA Title III Program in the DEQ

\*This table covers only those reporting requirements found in rules and regulations that apply in Michigan. **Releases might be reportable under multiple regulations. Additional reporting requirements** might be found in **permits, licenses, registrations, contingency and pollution prevention plans,** and local ordinances

NOTE: If the release is a **THREAT TO HUMAN HEALTH or SAFETY**, call 911 or your local fire department.

## CHAPTER 6: Release Reporting in Michigan

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>CERCLA Section 103 40 CFR 302 (<b>Hazardous Substances</b>)</p>	<p>Release into the environment of a CERCLA <b>hazardous</b> substance (40 CFR 302, Table 302.4) or hazardous constituent in a mixture or solution (including hazardous waste streams) from a vessel or facility (any building, structure, etc. including motor vehicles, rolling stock, aircraft, pipe, pipeline, well, pond, lagoon, impoundment, ditch, landfill, or site where a hazardous substance has come to be located) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hour period.</p> <p>Excludes petroleum, including oil, or any fraction thereof.</p> <p>See 40 CFR 302.6 for notification requirements for radionuclide releases.</p> <p>Includes continuous release: occurs without interruption or abatement or that is routine, anticipated, and intermittent and incidental to normal operations or treatment processes.</p> <p>See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions. See 71 FR 58525 (10/4/06) re Exemption for NOx releases to the air of &lt; 1000 lbs from combustion or combustion-related activities.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p>	<p>Immediate (within 15 minutes after discovery) to: NRC by person in charge of vessel or offshore or onshore facility.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08) re Exemption from reporting continuous releases to the air from animal waste.</p>	<p>For continuous releases only: Initial written within 30 days after initial telephone notification &amp; Follow-up within 30 days of first anniversary of initial written notification to: U.S. EPA Region 5.</p>	<p>NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil">www.nrc.uscg.mil</a></p> <p>For further information contact Michigan SARA Title III Program 517-284-7272 or EPA's Superfund, TRI, EPCRA, RMP, and Oil Information Center 800-424-9346</p>
<p>CERCLA Section 103 40 CFR 302 (<b>Hazardous Substances</b>)</p>	<p>Release into the environment of a CERCLA <b>hazardous</b> substance (40 CFR 302, Table 302.4) or hazardous constituent in a mixture or solution (including hazardous waste streams) from a vessel or facility (any building, structure, etc. including motor vehicles, rolling stock, aircraft, pipe, pipeline, well, pond, lagoon, impoundment, ditch, landfill, or site where a hazardous substance has come to be located) in a quantity equal to or greater than its corresponding reportable quantity in any 24-hour period.</p> <p>Excludes petroleum, including oil, or any fraction thereof.</p> <p>See 40 CFR 302.6 for notification requirements for radionuclide releases.</p> <p>Includes continuous release: occurs without interruption or abatement or that is routine, anticipated, and intermittent and incidental to normal operations or treatment processes.</p> <p>See 67 FR 18899 (4/17/02) for guidance on the CERCLA federally permitted release definition for certain air emissions. See 71 FR 58525 (10/4/06) re Exemption for NOx releases to the air of &lt; 1000 lbs from combustion or combustion-related activities.</p> <p>Does not apply to the application, handling, and storage by an agricultural producer of a pesticide product registered under FIFRA.</p>	<p>Immediate (within 15 minutes after discovery) to: NRC by person in charge of vessel or offshore or onshore facility.</p> <p>Continuous releases must be identified as such and are reported initially and when there is a significant change in the release.</p> <p>See 73 FR 76948 (12/18/08) re Exemption from reporting continuous releases to the air from animal waste.</p>	<p>For continuous releases only: Initial written within 30 days after initial telephone notification &amp; Follow-up within 30 days of first anniversary of initial written notification to: U.S. EPA Region 5.</p>	<p>NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil">www.nrc.uscg.mil</a></p> <p>For further information contact Michigan SARA Title III Program 517-284-7272 or U.S. EPA's Superfund, TRI, EPCRA, RMP, and Oil Information Center 800-424-9346</p>
<p>NREPA 1994 PA 451 Part 201, <b>Environmental Remediation</b></p>	<p>(i) Unpermitted release into the environment over a 24-hour period of a <b>hazardous</b> substance (<u>July 1, 2012, edition</u> of the CERCLA list, 40 CFR 302, Table 302.4) in a quantity equal to or greater than its corresponding reportable quantity.</p> <p>Does not include release solely from UST systems regulated under Part 213, and release solely from disposal area licensed under Part 115 and discovered through disposal area's hydrogeological monitoring plan.</p> <p>Release of substance regulated by Michigan Department of Agriculture &amp; Rural Development (MDARD) (fertilizer, soil conditioner, or pesticide) excluding normal agricultural practices: <i>also</i> report to MDARD.</p>	<p>Within 24 hours after discovery: to DEQ-RRD district office (PEAS after hours) by owner or operator or person holding easement interest.</p> <p>Report agricultural release to MDARD.</p>	<p>Upon request: Provide a response activity plan to DEQ-RRD district supervisor.</p>	<p>PEAS: 800-292-4706</p> <p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>For further information contact DEQ-RRD</p>

NOTE: If the release is a **THREAT TO HUMAN HEALTH or SAFETY**, call 911 or your local fire department.

## CHAPTER 6: Release Reporting in Michigan

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<p>NREPA 1994 PA 451 Part 201, <b>Environmental Remediation</b> (Continued)</p>	<p>(ii) The owner or operator has reason to believe that one or more <b>hazardous</b> substances are migrating or have migrated from his or her property and are present beyond the property boundary at a concentration in excess of cleanup criteria for unrestricted residential use.</p> <p>(iii) The release is a result of an activity that is subject to permitting under NREPA Part 615 and the owner or operator is not the owner of the surface property and the release results in <b>hazardous</b> substance concentrations in excess of cleanup criteria for unrestricted residential use.</p> <p>Hazardous substance means a hazardous substance defined in CERCLA (40 CFR 302), hazardous waste as defined in NREPA part 111, petroleum as defined in NREPA part 213, or any substance demonstrated to pose an unacceptable risk to public health, safety, welfare, or the environment.</p> <p>Cleanup criteria for unrestricted residential use means criteria that satisfy the requirements in section 20120a(1)(a) or (16); or as defined under NREPA part 213.</p>	<p>Within 30 days after discovery: to DEQ-RRD district office and owners of property to which hazardous substances migrated or owner of surface property by owner or operator of property where release occurred.</p> <p>Specific form required for: "Notice of Migration of Contamination" (Form EQP4482).</p>	<p>Upon request: Provide a response activity plan to DEQ-RRD district supervisor.</p>	<p>For further information contact DEQ-RRD</p>
<p>NREPA 1994 PA 451 Part 83, Pesticide Control Regulation 640, Commercial Pesticide Bulk Storage <b>(Agricultural)</b></p>	<p>Release to the environment of a commercial <b>pesticide</b> &gt;5 gallons or 100 pounds.</p> <p>Reportable agrichemical spills as defined in the provisions of SARA Title III section 304 and CERCLA section 103 shall be immediately reported to PEAS and the NRC.</p> <p>The term "release" excludes normal agricultural practices.</p>	<p>Immediate: to PEAS*</p> <p>Also notify NRC for spills reportable under SARA Title III &amp; CERCLA.</p> <p>*MDARD prefers direct notification to their hotline. PEAS forwards all agriculture calls to MDARD.</p>	<p>Within 90 days: to MDARD Pesticide and Plant Pest Management Division a revised site plan.</p>	<p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>PEAS: 800-292-4706</p> <p>NRC: 800-424-8802 or online at <a href="http://www.nrc.uscg.mil">www.nrc.uscg.mil</a></p> <p>For further information contact MDARD: 517-284-5644</p>
<p>NREPA 1994 PA 451 Part 83, Pesticide Control Regulation 640, Commercial Pesticide Bulk Storage <b>(Agricultural)</b></p>	<p>Release to the environment of a commercial <b>pesticide</b> &gt;5 gallons or 100 pounds.</p> <p>Reportable agrichemical spills as defined in the provisions of SARA Title III section 304 and CERCLA section 103 shall be immediately reported to PEAS and the NRC.</p> <p>The term "release" excludes normal agricultural practices.</p>	<p>Immediate: to PEAS*</p> <p>Also notify NRC for spills reportable under SARA Title III &amp; CERCLA.</p> <p>*MDARD prefers direct notification to their hotline. PEAS forwards all agriculture calls to MDARD.</p>	<p>Within 90 days: to MDARD Pesticide and Plant Pest Management Div. a revised site plan.</p>	<p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>PEAS: 800-292-4706</p> <p>NRC: 800-424-8802 or online at <a href="http://www.nrc.uscg.mil">www.nrc.uscg.mil</a></p> <p>For further information contact MDARD: 517-284-5644</p>
<p>NREPA 1994 PA 451 Part 85, Fertilizers Regulation 641 Commercial Fertilizer Bulk Storage Regulation 642, On Farm Fertilizer Bulk Storage <b>(Agricultural)</b></p>	<p>Release to the environment of a commercial <b>fertilizer</b> &gt;55 gallons liquid or 650 pounds dry, or tank overfills; or an on farm fertilizer &gt; 55 gallons liquid.</p> <p>For storage tank with bladder system instead of diking: also report all overfills and internal spills.</p> <p>The term "release" excludes normal agricultural practices. The term "liquid fertilizer" excludes anhydrous ammonia.</p>	<p>Immediate: to MDARD by commercial bulk storage facility personnel</p> <p>(For farms, the regulation does not specify who makes the report.)</p>	<p>Not required.</p>	<p>MDARD Agriculture Pollution Emergency Hotline: 800-405-0101</p> <p>For further information contact MDARD 517-284-5644</p>

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<p><b>Fire Prevention Code</b> 1941 PA 207 Section 29.5g</p>	<p>A fire, explosion, spill, leak, accident, or related occurrence that involves the transportation, storage, handling, sale, use, or processing of hazardous material by a firm, person, or vehicle.</p> <p><b>Hazardous material</b> = explosives, pyrotechnics, flammable gas, flammable compressed gas, flammable liquid, nonflammable compressed gas, combustible liquid, oxidizing material, poisonous gas or liquid, LPG, or irritative, etiologic, radioactive, or corrosive material.</p> <p>Act 207 amended 6/19/2006. The State Fire Marshall is in LARA, Bureau of Fire Services.</p>	<p>Immediately following incident, report known details regarding incident: to LARA Bureau of Fire Services <i>and</i> organized local fire department by owner of firm or vehicle or the person <i>and</i> the chief of first police or organized fire department upon scene of incident.</p>	<p>Not required.</p>	<p>Contact LARA Bureau of Fire Services by calling the MSP HazMat hotline: 800-525-5555</p> <p>For further information: contact local fire department</p>
<p><b>Fire Prevention Code</b> 1941 PA 207 Part 2 of Storage and Handling of Flammable and Combustible Liquids rules (FL/CL code)</p>	<p>A release from an <b>AST</b> system of &gt; 55 gal of any <b>flammable or combustible liquid</b> (flash point &lt; 200°F) to the ground or within a secondary containment area during any 24 hour period.</p> <p>Note: Many liquid pesticides are combustible (flash point between 100 and 200°F).</p>	<p>As soon as practicable after detection of release: to PEAS by owner or operator.</p>	<p>Within 10 days after release: to LARA Bureau of Fire Services, Storage Tank Division, outlining cause, discovery, response to prevent recurrence.</p>	<p>PEAS: 800-292-4706</p> <p>For further information: contact LARA Bureau of Fire Services, Storage Tank Division 517-335-7211</p>
<p>49 CFR 171 <b>(Transportation of Hazardous Materials)</b></p>	<p><b>Initial verbal notice:</b> Incident during transportation (including loading, unloading, temporary storage) involving (1) <b>hazardous</b> material and resulting in death, injury requiring hospitalization, public evacuation ≥ 1 hour, major transportation artery or facility closure ≥ 1 hour, or flight pattern alteration; (2) fire, breakage, spillage, or suspected radioactive contamination occurs involving a <b>radioactive</b> material; (3) fire, breakage, spillage or suspected contamination involving an <b>infectious</b> substance other than a regulated medical waste; (4) <b>marine pollutant</b> release exceeding 450 L (119 gal) liquid or 400 kg (882 lbs) solid; (5) other per judgment of person in possession of the hazardous material (e.g., continuing danger to life exists at scene of incident); (6) during transportation by aircraft, a fire, violent rupture, explosion or dangerous evolution of heat occurs as a direct result of a battery or battery-powered device. Hazardous material = CERCLA hazardous substance (40 CFR 302, Table 302.4), hazardous waste (40 CFR 262), marine pollutant (49 CFR 172.101 Appendix B), elevated temperature material, listed on Hazardous Materials Table (49 CFR 172.101), or meets criteria for hazard class/division in 49 CFR 173.</p> <p><b>Written follow-up report:</b> Required for all of above, plus any unintentional release of hazardous material from a package (including tank); or any quantity of hazardous waste discharged during transportation; or structural damage to lading retention system, even if no release, on specification cargo tank with ≥ 1000 gal capacity containing hazardous material; or undeclared hazardous material discovered.</p>	<p>As soon as practical but no later than 12 hours after occurrence of the incident: to NRC by each person in physical possession of the hazardous material.</p> <p>(A reportable incident <i>must</i> be reported by telephone, not online.)</p> <p>For infectious substances, notice may be given to the Director, Centers for Disease Control and Prevention, U.S. Public Health Service instead of NRC.</p>	<p>Within 30 days after discovery: to US DOT on DOT Form F 5800.1 (01-2004) "Hazardous Materials Incident Report."</p> <p>Report online at <a href="https://hazmatonline.phmsa.dot.gov/v/incident/">https://hazmatonline.phmsa.dot.gov/v/incident/</a></p> <p>Report must be updated within 1 year of incident if: Death results from injury; hazardous material or package info on prior report misidentified; damage, loss or cost not known on prior report becomes known or changes by \$25,000 or 10%.</p> <p>See regulation for exceptions to written report.</p>	<p>NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil">www.nrc.uscg.mil</a></p> <p>U.S. Public Health Service 800-232-0124</p> <p>For further information contact US DOT Hazardous Materials Information Center at 800-467-4922 or online at <a href="http://www.phmsa.dot.gov/hazmat">www.phmsa.dot.gov/hazmat</a></p>

NOTE: If the release is a **THREAT TO HUMAN HEALTH** or **SAFETY**, call 911 or your local fire department.











