

Reportable Quantities and Your Facility's Emergency Response/Spill Prevention Plan

Section 13-609 of the Wellfield Health Code states that an Emergency Response/Spill Prevention Plan is required for every facility. The Marion County Public Health Department provides a template to prepare this document.

This document has been designed to assist your facility in preparing your Emergency Response/Spill Prevention Plan using the Marion County Public Health Department Template, specifically focusing on defining "reportable quantities".

Page 1 of the template provides space for you to enter information about your facility, facility emergency contacts, information regarding emergency medical facilities, and information regarding the spill kit(s) at your facility.

Page 2 of the template is to be used to organize information regarding the appropriate response to spills *greater than* "reportable quantities".

Page 3 of the template is to be used to organize information regarding the appropriate response to spills *less than* "reportable quantities".

You may be wondering what "reportable quantity" means and what size of chemical spill is "reportable". The following presents a brief explanation.

Applicable federal, state, and local regulations divide chemicals into four basic categories for the purposes of determining the "reportable quantity".

Extremely Hazardous Substances:

Regulatory Citation: 40 CFR 355, US Emergency Planning and Community Right-to-Know Act

List Available: [https://www.law.cornell.edu/cfr/text/40/appendix-A to part 355](https://www.law.cornell.edu/cfr/text/40/appendix-A%20to%20part%20355)

Reportable Quantity*: Compound specific, varies from 1 pound to 10,000 pounds.

Hazardous Substances:

Regulatory Citation: 40 CFR 302.4 Comprehensive Emergency Response, Compensation, and Liability Act

List Available: <https://www.law.cornell.edu/cfr/text/40/302.4>

Reportable Quantity*: Compound specific, varies from 1 pound to 5,000 pounds

* While EPA has set the reportable quantity for Extremely Hazardous Substances and Hazardous Substances between 1 pound and 10,000 pounds, **Indiana has more strict reporting standards for the reportable quantity for spills within a wellfield.**

In wellfield areas in Indiana, spills of Extremely Hazardous and Hazardous Substances must be reported for spills above 100 pounds or the federal reportable quantity, whichever is less.

Objectionable Substance:

Regulatory Citation: 327 IAC 2-6.1-4 (11) Indiana Water Quality Standards

Definition: "Objectionable substances" means substances that are:

(A) of a quantity and a type; and

(B) present for a duration and in a location;

so as to damage waters of the state. This definition excludes hazardous substances, extremely hazardous substances, petroleum, and mixtures thereof.

List Available: No list is available, as whether a compound is objectionable is determined by the criteria in the definition. In general, any substance other than pure water can be considered potentially objectionable.

Reportable Quantity: This is facility and situation specific - a spill of an objectionable substance is reportable if waters of the state (including groundwater) are or potentially could be harmed. You should report a spill if the chemical flows into the soil, into a drain, or into a body of water. If a spill clean-up response is not initiated, a spill of any size that reaches drains, soil or surface waters becomes reportable. If an appropriate spill response is initiated, and the spill is properly contained and cleaned up, the spill is not reportable.

Petroleum Products:

Regulatory Citation: 327 IAC 2-6.1-5 (2)(B) Indiana Water Quality Standards

Reportable Quantity: 55 gallons or more.

How do I determine what each reportable quantity is for chemicals at my facility?

- Using your facility's chemical inventory, you will determine if you have any Extremely Hazardous Substances or Hazardous Substances.
 - If you do, you need to look up the reportable quantity.
 - If the federal reportable spill quantity is less than 100 pounds, you will use the federal reportable quantity as your facility's reportable spill quantity.
 - If the federal reportable spill quantity is more than 100 pounds, you will use the Indiana reportable spill quantity of 100 pounds.
- Using your facility's chemical inventory, you will determine if you have any petroleum products.
 - If you do, the reportable spill quantity is 55 gallons or more.

- Using your facility's chemical inventory, you will determine if you have chemicals that are potential 'objectionable substances'.
 - The reportable quantity for these substances is facility and situation specific.

What does this mean for my Emergency Response Spill Prevention Plan?

Your facility's Emergency Response Spill Prevention Plan will be divided up into two sections, 1) Spills greater than reportable quantities and 2) Spills less than reportable quantities. In the steps above, you should determine the reportable spill quantities for each chemical in your inventory. Place information regarding the reportable spill quantity of each chemical in the first section. This allows staff at your facility to determine quickly, after a spill occurs, whether enough material was spilled to make the spill reportable to the authorities.

Example:



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 Wellfield Protection Program
 3901 Meadows Dr. Indianapolis, IN 46205
 (317)221-2266

Response Guidelines for Handling Major Spills (greater than reportable quantities)

1. Reportable Quantity Listing for Chemicals in Use

Chemical #1 - Reportable Quantity = 10 pounds (Extremely Hazardous Substance)
 Chemical #2 - Reportable Quantity = 100 pounds (Hazardous Substance)
 Chemical #3 - Reportable Quantity = 55 gallons (Petroleum)
 Chemical #4, #5, #6 - Reportable Quantity = if a spill could impact waters of the state (Objectionable Substances)

In this example, Chemical #1 is an Extremely Hazardous Substance that you identified using the federal list. Because the federal reportable quantity is 10 pounds, which is less than the default Indiana reportable quantity for an extremely hazardous substance in a wellfield, you would list the federal reportable quantity. If a spill of 10 pounds or more occurred, you would report it to the authorities.

Chemical #2 is a Hazardous Substance that you identified using the federal list. The federal reportable quantity is 1,000 pounds. Because the federal reportable quantity is more than the default Indiana reportable quantity of 100 pounds for a hazardous substance spill in a wellfield, you would use the default Indiana wellfield reportable quantity. If a spill occurred of 100 pounds or more you would be required to report it to the authorities.

Chemical #3 is a petroleum product. The Indiana wellfield reportable quantity is 55 gallons or more. If a spill occurred of 55 gallons or more, you would be required to report it to the authorities.

Chemicals #4, #5, and #6 are 'objectionable substances' that are not Extremely Hazardous Substances, Hazardous Substances, or petroleum products. The amount of a spill that is

reportable is determined by how the spill could impact waters of the state. If a spill of an objectionable substance occurs, you will use your judgement to determine if the spill could impact waters of the state. If you cannot contain the spill and it flows down a drain, into soil, or into surface water, you would be required to report it to the authorities. If the spill can be safely contained and cleaned up and will not impact waters of the state, you would not be required to report the spill to the authorities.

If a spill of Chemicals #1 through #6 occurred that was below each respective reportable quantity, you then use the guidelines from the second section of your spill plan to clean up the spill and you are not required to report the spill to the authorities.



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Response Guidelines for Handling Minor Spills (less than reportable quantities)

1. Spill Isolation



If you need additional assistance to determining how reportable quantities impact your facility, please contact the Marion County Wellfield Education Corporation (MCWEC) at (317) 630-9060.

Please do not contact MCWEC in the event of an emergency or chemical spill, instead contact the Marion County Public Health Department (MCPHD) at (317) 491-5681.