

Rachel's Environment & Health News

#26 - Next Three Months Is Critical Time For Citizens Fighting The Spread Of Hazardous Chemicals May 24, 1987

The next three months is a very important time for citizens fighting toxics. Title III of the federal SARA law (Superfund Amendments and Reauthorization Act, or SARA) requires a series of decisions at the state level between April and August, 1987. Title III is also known as the Emergency Response and Community Right-to-Know Act of 1986. Decisions made during this period will affect citizens' ability to fight toxics for the foreseeable future.

State emergency response commissions were to have been appointed April 17 by the governor of each state [Sec. 301(a) of SARA]. May 17 is the date after which companies covered by the law are to notify the state commission that they are covered by the law, and each company is to give the commission a list of Extremely Hazardous Substances that the company stores on-site, if the quantities of those chemicals exceed a certain threshold amount established by law [SARA Sec. 302(c)]. The list of Extremely Hazardous Chemicals and the threshold quantities appeared in the FEDERAL REGISTER April 22 (Vol. 52, pgs. 1337713410), as mandated by SARA Sec. 302(a)(2).

May 22 is the date after which companies must report (to the state commission) releases of Extremely Hazardous Substances appearing on the list [SARA Sec. 304].

By July 17, each state commission is supposed to create emergency planning districts. By Aug. 17, each state commission is supposed to set up local EMERGENCY PLANNING COMMITTEES and on that date companies are required to begin reporting releases of Extremely Hazardous Substances to those committees. These local committees can be very influential in the way this law is enforced, and citizens should pay close attention to the establishment of these committees. By September 17, companies must designate representatives who will be their official contact for the local planning committee [SARA Sec. (303)(3)(c) and 303 (d)(1)]. By October 17, companies must provide the local committees with copies of Material Safety Data Sheets (MSDSs) describing in detail the hazards of the chemicals they handle [SARA Sec. 311(a) thru 311 (d)]. By March 1, 1988, companies must send in annual reports, stating what quantities of which chemicals they purchase, manufacture or store on their premises [SARA Sec. 312]. A wall of secrecy has, so far, shielded companies from an angry public demanding an end to the use of toxics. But that wall of secrecy is crumbling rapidly as this powerful law clicks into place.

Exactly two years after enactment of SARA, by October 17, 1988, the local planning committees must have completed local emergency response plans [SARA Sec. 303(a)]. Since Congress provided no funds for any of these activities, they will undoubtedly not occur on schedule. But these local committees will have enormous influence in the kinds of information the local committee can extract from companies.

--Peter Montague

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EPA CREATING NINE-STATE SYSTEM TO SHARE DATA ON ENFORCEMENT

The federal EPA will establish a nine-state information system to share enforcement data on actions taken in nine western states under RCRA (Resource Conservation and Recovery Act). The states are Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington.

EPA (U.S. Environmental Protection Agency) has given a \$200,000 grant to the state of Arizona to establish an "information exchange system" aimed at informing each state about current civil and criminal litigation and administrative enforcement actions under RCRA. Citizens may be able to influence the way the system is set up, to make sure the information is useful and easily retrievable. For further information, contact Estelle Bulka, Office of Waste

Programs Enforcement (WH-527), EPA, 401 M Street, SW, Washington, DC 20460; (202) 475-9324.

--Peter Montague

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COAST GUARD TALLIES POLLUTION EVENTS IN U.S. WATERS, 1983-1984

The U.S. Coast Guard recently released its report, POLLUTING INCIDENTS IN AND AROUND U.S. WATERS: CALENDAR YEAR 1983 TO 1984 [COMDTINST M16450.2G] covering a two-year period. The report will be available in June for approximately \$10 from National Technical Information Service [NTIS], Springfield, VA 22161; phone (703) 487-4650. For further information, contact U.S. Coast Guard Office Automation and Systems, USCG (G-MP-5), Washington, DC 20953; phone (202) 267-0452.

--Peter Montague

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EPA ISSUES THREE LANDFILL LINER REPORTS, SEEKS PUBLIC COMMENTS

The federal EPA (Environmental Protection Agency) has released three documents on landfill liners. They are: BACKGROUND DOCUMENT ON BOTTOM LINER PERFORMANCE IN DOUBLE-LINED LANDFILLS AND SURFACE IMPOUNDMENTS [EPA/530-SW-87-013]; DRAFT MINIMUM TECHNOLOGY GUIDANCE ON SINGLE LINER SYSTEMS FOR LANDFILLS, SURFACE IMPOUNDMENTS, AND WASTE PILES--DESIGN, CONSTRUCTION AND OPERATION [EPA/530-SW-85-013]; and DRAFT MINIMUM TECHNOLOGY GUIDANCE ON DOUBLE-LINER SYSTEMS FOR LANDFILLS AND SURFACE IMPOUNDMENTS--DESIGN, CONSTRUCTION, AND OPERATION [EPA/530-SW-85-014].

EPA is seeking comments on the draft documents. A limited number of the documents are available from Kenneth Skahn, Office of Solid Waste (WH- 565E), EPA, 401 M St., S.W., Washington, DC 20460; phone (202) 382- 4654.

--Peter Montague

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Descriptor terms: superfund; sara; emergency response; hazardous chemicals; industry; emergency preparedness; citizen groups; enforcement; sara; emergency response and community right-to-know act of 1986; superfund; rtk; epa; information services; enforcement; rcra; az; ca; co; id; nv; nm; or; ut; wa; computerized information systems; computers; epa; studies; landfill liners; landfilling; waste piles; surface impoundments; lagoons; flexible membrane liners; clay; ponds; studies; coast guard; pollution; water pollution; accidents; leaks; spills; oceans;