

# **C H A P T E R 6**

## **RELEASE REPORTING IN MICHIGAN**

- **Release Notification Requirements in Michigan**
- **Spill or Release Report Form**
- **Release Calculations Example**
- **MSDS for Gasoline - Example**



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### 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 as of December 2, 2008, 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 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 NPDES 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. 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 EPA published a consolidated list of chemicals subject to SARA Title III and to Section 112(r) of the Clean Air Act called the “List of Lists.” The List of Lists, updated in October of 2006, is in Appendix B of this guidebook. It is also available as a Microsoft Excel file and as a searchable database via a link on the DEQ’s Release Reporting website. The “List of Lists” includes:

- **CERCLA Hazardous substances** 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 NREPA. These rules include a list of “**polluting materials**” with threshold reporting quantities for releases. The Part 5 Rules are in Appendix C of this guidebook.

NREPA Part 201 refers to the **2001 version of the CERCLA list** of hazardous substances. There is a link to this version on the DEQ Release Reporting website.

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### NOx Exemption in CERCLA and EPCRA

On **October 4, 2006**, EPA finalized an exemption for certain releases of emissions of NO and NO<sub>2</sub> (collectively NOx) to air from CERCLA and EPCRA 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, such as 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 (2001)..." 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 2001 version of 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 following three numbers even if the content or quantity of the released material has not yet been determined:

#### **Post These Numbers by Every Phone**

1. **911** to notify Local authorities
2. **800-292-4706** (PEAS) to notify State authorities
3. **800-424-8802** (NRC) to notify Federal authorities

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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.

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:

- CERCLA hazardous substances 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, and
- 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. Visit this site for updated versions of this table, as well as updated DEQ and LEPC contact information.

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 Michigan SARA Title III Program at 517-373-8481 or [deq-ead-sara@michigan.gov](mailto:deq-ead-sara@michigan.gov).

DEQ program information is available at [www.michigan.gov/deq](http://www.michigan.gov/deq), or phone the DEQ Environmental Assistance Center at 800-662-9278.

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

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

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Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>SARA Title III Section 304 40 CFR 355.40 (EHS &amp; Hazardous Substances)</p>	<p>Release of a CERCLA hazardous substance (40 CFR 302, Table 302.4) or Extremely Hazardous Substance (EHS) (40 CFR 355, Appendix A) from a facility (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 (DEQ PEAS line accepts notification on behalf of SERC) 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>Transportation related releases can be reported to 911.</p>	<p>As soon as practicable (within 7 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 &amp; Follow-up within 30 days of first anniversary of initial written 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 (from within MI) or 517-373-7660 (from outside MI)</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 517-373-8481</p>
<p>CERCLA Section 103 40 CFR 302 (Hazardous Substances)</p>	<p>12/27/04 phosmet was removed from the EHS list.</p> <p>Release into the environment of a CERCLA hazardous substance (40 CFR 302, Table 302.4) or hazardous constituent in a mixture or solution (including hazardous waste streams) from a vessel or facility (including transport vehicles and aircraft) 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>Excludes release that is federally permitted. 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>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>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>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 EPA Region 5.</p>	<p>NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil/nrchp.html">www.nrc.uscg.mil/nrchp.html</a></p> <p>For further information contact Michigan SARA Title III Program 517-373-8481 or EPA's Superfund, TRI, EPCRA, RMP, and Oil Information Center 800-424-9346</p>

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

\*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.**



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Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>NREPA 1994 PA 451 Part 201, Environmental Remediation</p>	<p>Unpermitted release into the environment over a 24-hour period of a <b>hazardous</b> substance (<i>2001 version</i> of the CERCLA list, 40 CFR 302, Table 302.4) in a quantity equal to or greater than its corresponding reportable quantity.  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.  Release of substance regulated by MI Dept of Agriculture (MDA) (fertilizer, soil conditioner, or pesticide) excluding normal agricultural practices; <i>also</i> report to MDA.  Release to the environment of a commercial <b>pesticide</b> &gt;5 gallons liquid or 100 pounds dry.  The term "release" excludes normal agricultural practices.  The regulation specifies that a pesticide release reportable under SARA Title III shall be reported to PEAS and the NRC.</p>	<p>Within 24 hours after discovery to DEQ-RRD district office (PEAS after hours) by owner, operator or person holding easement interest.  Report agricultural release to MDA.</p>	<p>Upon request to DEQ-RRD district supervisor.  Specific forms required for: "Notice Regarding Discarded or Abandoned Containers" (Form EQP4476) and "Notice of Migration of Contamination" (Form EQP4482).</p>	<p>PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  MDA Agriculture Pollution Emergency Hotline: 800-405-0101 (from within MI) or 517-373-0440 (from outside MI)  For further information contact DEQ-RRD</p>
<p>NREPA 1994 PA 451 Part 83, Pesticide Control Regulation 640, Commercial Pesticide Bulk Storage (Agricultural)</p>	<p>Release to the environment of a commercial <b>pesticide</b> &gt;5 gallons liquid or 100 pounds dry.  The term "release" excludes normal agricultural practices.  The regulation specifies that a pesticide release reportable under SARA Title III shall be reported to PEAS and the NRC.</p>	<p>Immediate to PEAS*  Also notify NRC for reportable spills as defined by SARA Title III &amp; CERCLA.  *MDA prefers direct notification to their hotline. PEAS forwards all agriculture calls to MDA.</p>	<p>Within 90 days to MDA Environmental Stewardship Div. a revised site plan.</p>	<p>MDA Agriculture Pollution Emergency Hotline: 800-405-0101 (from within MI) or 517-373-0440 (from outside MI)  PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil/nrchp.html">www.nrc.uscg.mil/nrchp.html</a>  For further information contact MDA 517-373-1087</p>
<p>NREPA 1994 PA 451 Part 85, Fertilizers Regulation 641 Commercial Fertilizer Bulk Storage Regulation 642, On Farm Fertilizer Bulk Storage (Agricultural)</p>	<p>Release to the environment of a commercial <b>fertilizer</b> &gt;55 gallons liquid or 650 pounds dry; or an on farm fertilizer &gt; 55 gallons liquid.  The term "release" excludes normal agricultural practices. The term "liquid fertilizer" excludes anhydrous ammonia.</p>	<p>Immediate to MDA by commercial bulk storage facility personnel  (For farms, the regulation does not specify who makes the report.)</p>	<p>Not required.</p>	<p>MDA Agriculture Pollution Emergency Hotline: 800-405-0101 (from within MI) or 517-373-0440 (from outside MI)  For further information contact MDA 517-373-1087</p>

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

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Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<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 irritating, etiological, radioactive, or corrosive material.</p> <p>Per EO 2003-18, DLEG Bureau of Construction Codes and Fire Safety will receive reports previously sent to the State Fire Marshal.</p>	<p>Immediately following incident, report known details regarding incident: to DLEG Bureau of Construction Codes and Fire Safety <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 dept upon scene of incident.</p>	<p>Not required.</p>	<p>Contact DLEG Bureau of Construction Codes and Fire Safety: 24-hr voice mail – 517-322-5316 24-hr pager – 888-237-4081</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 degrees Fahrenheit) to the ground or within a secondary containment area during any 24 hour period.</p>	<p>As soon as practicable after detection of release: to PEAS by owner or operator.</p>	<p>Within 10 days after release: to DEQ (WHMID, Storage Tank Unit) outlining cause, discovery, response to prevent recurrence.</p>	<p>PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)</p> <p>For further information: contact DEQ-WHMD Storage Tank Unit</p>
<p>49 CFR 171 <b>(Transportation of Hazardous Materials)</b></p>	<p>Initial verbal notice: 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 contamination involving <b>radioactive</b> material or <b>infectious</b> substances; (3) <b>marine pollutant</b> exceeding 450 L (119 gal) liquid or 400 kg (882 lbs) solid; (4) other per judgment of person in possession of the hazardous material (e.g., continuing danger to life exists at scene of incident).</p> <p>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>Written follow-up report: 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>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." Report online at <a href="https://hazmatonline.phmsa.dot.gov/incident/">https://hazmatonline.phmsa.dot.gov/incident/</a></p> <p>Report must be updated w/i 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/nrc/hip.html">www.nrc.uscg.mil/nrc/hip.html</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>

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Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
NREPA 1994 PA 451 Part 31, Water Resources Protection (Release to surface of ground, surface water, groundwater or public sewer system)	Unpermitted release directly or indirectly to public sewer system, surface of ground, surface water or groundwater from an oil storage facility or on-land facility of a "polluting material" (oil, salt, or any material specified in table 1 in R 324.2009) in excess of its threshold reporting quantity during any 24-hour period.  See Part 5 rules, effective 8/31/01, for details and exemptions. HB 5586 effective 6/15/04 amended the reporting requirements.	As soon as practicable after detection: to PEAS and 911 by owner, operator or manager.  State agencies call 911 if release reported to them by another state or Canada. Immediate: to NRC by person in charge of vessel or facility.  If direct reporting to NRC not practicable, may report to district Coast Guard or EPA pre-designated OSC.	Within 10 days after release: to DEQ-WB district supervisor and to the local health department where the release occurred, outlining cause, discovery, response & prevention of recurrence.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-WB-FOD  NRC 800-424-8802 or online at www.nrc.uscg.mil/nrcbp.html  District 9 Coast Guard 216-902-6117  EPA Region 5 for pre-designated OSC 312-353-2318  For further information contact EPA Region 5 at 312-353-8200 or District 9 Coast Guard at 216-902-6054
CWA Section 311 Guard/DOE 33 CFR 153 (Navigable waters – Coast Guard/DOE)  Control of Pollution by Oil and Hazardous Substances, Discharge Removal	Discharge of a harmful quantity of oil or a hazardous substance from a vessel or onshore or offshore facility into or upon navigable waters of the United States or adjoining shorelines.  Harmful quantity = oil discharge that violates applicable water quality standards, or causes a film or sheen upon or discoloration of the surface of the water or adjoining shorelines, or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines; or a CERCLA hazardous substance (40 CFR 302, Table 302.4) in a quantity equal to or greater than its corresponding reportable quantity.  Oil = oil of any kind or in any form including petroleum, crude oil, petroleum refined products, sludge, oil refuse, oil mixed with wastes, etc., as well as vegetable and animal oils.	Immediate: to NRC by person in charge of vessel or facility.	Not required.	NRC 800-424-8802 or online at www.nrc.uscg.mil/nrcbp.html  For further information contact DEQ-WB-FOD
CWA Section 311 40 CFR 110 (Discharge of Oil)	Discharges of oil that violate applicable water quality standards, or cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines, or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.  Oil = oil of any kind or in any form including petroleum, crude oil, petroleum refined products, sludge, oil refuse, oil mixed with wastes, etc., as well as vegetable and animal oils.	Immediate: to NRC by person in charge of vessel or facility.	Not required.	NRC 800-424-8802 or online at www.nrc.uscg.mil/nrcbp.html  For further information contact DEQ-WB-FOD
NREPA 1994 PA 451 Part 31, Water Resources Protection (Sewer Systems)	Discharge of untreated sewage or partially treated sewage from a sewer system onto land or into the waters of the state.  "Sewer system" means a sewer system designed and used to convey sanitary sewage or storm water, or both.	Immediate (within 24 hours): to DEQ-WB district office (PEAS after hours); Local health depts.; Daily newspaper circulated in source & affected counties; & Affected municipalities.	At end of discharge: to same parties notified initially on Form EQP 5857 (Rev. 5/06) "Report of Discharges of Untreated or Partially Treated Sewage" Includes results of E. coli testing.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-WB-FOD
NREPA 1994 PA 451 Part 41, Sewerage Systems	Discharges of pollutants from sewerage systems (which can include combined sewers) in excess of those authorized by a discharge permit issued by the DEQ to surface water or groundwater as a result of a facility breakdown or emergency.  Sewerage systems handle sanitary sewage or other industrial liquid wastes.	Promptly: to DEQ-WB district office (PEAS after hours) by owner.	Within 72 hours: to DEQ-WB district supervisor, outlining cause, discovery, corrective actions taken to minimize impact, restore operations, and eliminate future unpermitted discharges.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-WB-FOD

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NREPA 1994 PA 451 Part 211, <b>Underground Storage Tanks</b> Part 213, Leaking Underground Storage Tanks	Releases of a <b>regulated substance</b> of any amount from underground storage tank (UST) systems (includes the emergency shut-off valve on down) subject to registration; overflow from UST fillpipe or vent onto ground; release from aboveground pipe attached to UST system.  Regulated substance = petroleum or CERCLA hazardous substance (40 CFR 302, Table 302.4) or substance listed in CAA title 1 part A sect 112. Petroleum includes, but is not limited to, crude oil, motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, and petroleum solvents.	Within 24 hours after discovery (Part 211); to DEQ-WHMD central or district office, or PEAS, or online or fax on Form EQP 3826 (Rev. 9/2007) If free product, Form EQP 3800 (Rev 02/2003) required by UST owner or operator, or employee of owner or operator.  Includes releases discovered years after UST system removed	At 90 days Initial Assessment Report on Form EQP3841 (Rev. 02/2003) if not closed; at 365 days Final Assessment Report on Form EQP3842 (Rev. 11/2006) if still not closed; at closure Closure Report on Form EQP3843 (Rev. 02/2003), (Part 213); to DEQ-RRD district project manager.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  Initial On-line report go to DEQ Release reporting web site, select "release reporting forms" then EQP 3826.  Fax for UST release: 517-335-2245  For further information contact DEQ-WHMD or DEQ-RRD  PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  NRC 800-424-8802 or online at www.nrc.uscg.mil/nrcbp.html  NREPA Part 111 requires transporters to comply with 49 CFR 171 and 33 CFR 153.  For further information contact DEQ-WHMD
NREPA 1994 PA 451 Part 111, <b>Hazardous Waste Management</b> (Generators; Treatment, Storage & Disposal Facilities (TSDF); Transporters)	Any amount of characteristic <b>hazardous waste</b> or listed hazardous waste (as defined in R 299.9203 "Hazardous Waste Rule 203") reaches the surface water or groundwater, or A fire, explosion, or other release of hazardous waste or hazardous waste constituent occurs that could threaten human health or the environment. or A release of >1lb (or ≤1lb if not immediately cleaned up) hazardous waste to the environment from a tank system or associated secondary containment system.  Additional hazardous waste reporting requirements under NREPA Part 201 and CERCLA.	Immediate: to PEAS (or for Tank systems/secondary containment, within 24 hours of discovery: to DEQ-WHMD)  and to NRC if threat to human health or environment outside facility by generator, or owner or operator of TSDF, or transporter.	For large quantity generators and TSDF: Within 15 days after incident IF the contingency plan had to be implemented: to DEQ-WHMD.  For tank/secondary containment systems: Within 30 days of discovery: to DEQ-WHMD.  For transporters: to US DOT if required per 49 CFR 171.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  NRC 800-424-8802 or online at www.nrc.uscg.mil/nrcbp.html  NREPA Part 111 requires transporters to comply with 49 CFR 171 and 33 CFR 153.  For further information contact DEQ-WHMD
NREPA 1994 PA 451 Part 121, <b>Liquid Industrial Waste</b>	The <b>liquid industrial waste</b> spill could threaten public health, safety, welfare, or the environment, or has reached surface water or groundwater.  Liquid industrial waste includes nonhazardous brine, by-product, industrial wastewater, leachate, off-spec commercial chemical product, sludge, sanitary or storm sewer clean-out residue, grease trap clean-out residue, spill residue, used oil, or other liquid waste not regulated by other laws.	Immediate: to PEAS and local authorities by generator, transporter, or owner or operator of facility.  Refer to MCL 324.12111(1) for required report elements	Prepare within 30 days after incident. Submit upon request: to DEQ-WHMD district supervisor.  Refer to MCL 324.12111(1) for required report elements	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-WHMD

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# CHAPTER 6: Release Reporting in Michigan

## Release Notification Requirements in Michigan \*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
NREPA 1994 PA 451 Part 55, <b>Air Pollution Control</b>	Abnormal condition, start-up, shutdown, or malfunction that results in emissions exceeding permissible (in rule, permit or order) levels of <b>hazardous air pollutants</b> (HAPs) (CAA Sect. 112(b)) or <b>toxic air contaminants</b> (as specified in permit) for > 1 hour, or any air contaminant for > 2 hours.  Written follow-up report only required for emission exceedences lasting > 2 hours.	As soon as possible, but not later than 2 business days after discovery: to DEQ-AQD district office (PEAS after hours) by owner or operator.	Within 10 days after start-up, shutdown, or abnormal condition, malfunction corrected. Or within 30 days of abnormal condition, malfunction discovery- whichever first. to DEQ-AQD district supervisor.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-AQD
1978 PA 368 Part 133, <b>Dry Cleaning</b>	Condition or incident presents a threat or hazard to <b>public health</b> or safety.	Immediate: to DEQ-AQD district office (PEAS after hours) by owner or operator.	Within 30 days after incident: to DEQ-AQD district supervisor.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-AQD
NREPA 1994 PA 451 Part 615, Supervisor of Wells ( <b>oil and gas production fields</b> )	A loss, spill or release of (1) any amount of <b>brine, crude oil, or oil or gas field waste</b> unless it is less than 42 gallons and occurs while an authorized representative is on site and is completely contained and cleaned up within 1 hour, or (2) any unpermitted amount of <b>natural gas</b> , or (3) <b>chemicals</b> used in association with oil and gas activities.	Within 8 hours after discovery of: 42 gallons or more of brine, crude oil, or oil or gas field waste, or any amount of chemical or natural gas, or; less than 42 gallons if the spill contacts surface water, groundwater, or other environmentally sensitive resources, or is not completely contained and cleaned up within 48 hours; to DEQ-OGS district office (PEAS after hours) by permittee.	Within 10 days after discovery of loss or spill: to DEQ-OGS district supervisor on Form EQP-7233 (Rev 8/2004) "Report of Loss or Spill." by permittee  Written report only for less than 42 gallons of brine, crude oil, or oil and gas field waste if spill does not contact surface water, groundwater, or other environmentally sensitive resources, and is completely contained and cleaned up within 48 hours.	PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ-OGS
49 CFR 191 <b>Transportation of Natural and Other Gas by Pipeline</b>	An incident, meaning: (1) Release of <b>gas</b> from a pipeline or of liquefied natural gas or gas from an LNG facility that results in: Death or hospitalization; or Property damage ≥ \$50,000. (2) Event that results in emergency shutdown of LNG facility. (3) Significant event per operator.  Written Incident reports not required for LNG facilities.  Applies to pipeline systems and the transportation of gas through those systems in or affecting interstate or foreign commerce. (See 49 CFR 191.3 for details.)	Earliest practicable moment following discovery: to NRC by operator.	As soon as practicable, and within 30 days after discovery: to US DOT: on DOT Form PHMSA F 7100.1 (03-04) "Incident Report – Gas Distribution System." or PHMAS F 7100.2 (01-2002) "Incident Report – Gas Transmission and Gathering Systems"  Supplemental report filed as necessary as soon as practicable.  Written report not required for LGN facilities.	NRC 800-424-8802 or online at www.nrc.uscg.mil/nrcph.html  For further information contact US DOT Pipeline Safety Information Center at 202-366-4595 or online at http://ops.dot.gov

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# CHAPTER 6: Release Reporting in Michigan

## Release Notification Requirements in Michigan\*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
<p>49 CFR 195 Transportation of <b>Hazardous Liquids by Pipeline</b></p>	<p>Release of hazardous liquid (<b>petroleum, petroleum products, or anhydrous ammonia</b>) or <b>carbon dioxide</b> from a pipeline system that results in any of the following: (a) Explosion or fire; (b) Release of <math>\geq 5</math> gallons (except if <math>&lt; 5</math> barrels released due to maintenance and release not otherwise reportable, confined to property, does not pollute water, and cleaned up promptly); (c) Death of any person; (d) Injury requiring hospitalization; or (e) Property damage <math>&gt; \\$50,000</math>. (See 49 CFR 195.50, revised 1/8/02, for details)</p> <p>Applies to pipeline facilities and the transportation of hazardous liquids associated with those facilities in or affecting interstate or foreign commerce. (See 49 CFR 195.1 for details.)</p>	<p>Earliest practicable moment following discovery: to NRC by operator If Release caused: Death or hospitalization; Fire or explosion; Property damage; Water pollution; or was Significant per the operator.</p>	<p>As soon as practicable, and within 30 days after discovery: to US DOT on DOT Form PHMSA F 7000-1 (01-2001) "Accident Report – Hazardous Liquid Pipeline Systems"  Supplemental report must be filed within 30 days after operator receives changes or additions to original report.</p>	<p>NRC 800-424-8802 or online at <a href="http://www.nrc.uscg.mil/nrchp.html">www.nrc.uscg.mil/nrchp.html</a>  For further information contact US DOT Pipeline Safety Information Center at 202-366-4595 or online at <a href="http://ops.dot.gov">http://ops.dot.gov</a></p>
<p>1978 PA 368 Part 135, <b>Radiation Control</b></p>	<p>For any emergency. Or for incident involving naturally occurring or accelerator produced <b>radioactive material</b>– Immediate notice if: Incident may have caused or threatens to cause: dose to body 25 rems, to skin 150 rems, to extremities 375 rems (per rule 247); 24 hour concentration exceeds 5000 times limits specified in table II of rules 261 to 269; contamination causes operation shut down for 1 week, or property damage <math>&gt; \\$100,000</math>. Notice within 24 hours if: Incident may have caused or threatens to cause: dose to body 5 rems, to skin 30 rems, to extremities 75 rems (per rule 247); 24 hour concentration exceeds 500 times limits specified in table II of rules 261 to 269; contamination causes operation shut down for 1 day, or property damage <math>&gt; \\$1000</math>.</p>	<p>Immediate or within 24 hours (see reporting criteria): to DEQ-Radiological Protection Program (PEAS after hours) or MI Dept of State Police (MSP) Operations Division. by licensee or registrant.</p>	<p>Within 30 days after release: licensee or registrant shall submit written report to DEQ-WHMD Hazardous Waste and Radiological Protection Section.  Written report also required if level of radiation or concentration of radioactive material in unrestricted area <math>&gt; 10</math> times any applicable limit.  See Rule 250 (R 325.5250) for required report content.</p>	<p>DEQ-Radiological Protection Program 517-241-1274  MSP 517-336-6100  PEAS: 800-292-4706 (from within MI) or 517-373-7660 (from outside MI)  For further information contact DEQ Radiological Protection Program</p>
<p>10 CFR 20 (Standards for Protection Against <b>Radiation</b>)</p>	<p>For incident involving source, by-product, or special nuclear <b>radioactive material</b>– Immediate notice if: Event that may have caused or threatens to cause: effective dose equivalent to individual 25 rems, lens dose equivalent 75 rems, shallow-dose equivalent to skin or extremities 250 rads; individual could receive 5 times annual limit on intake in 24 hours. OR Any lost, stolen, or missing licensed material in an aggregate quantity equal to or greater than 1000 times the quantity specified in appendix C to part 20 under such circumstances that it appears to the licensee that an exposure could result to persons in unrestricted areas. Notice within 24 hours if: Event that may have caused or threatens to cause: an individual in 24 hours to receive effective dose equivalent <math>&gt; 5</math> rems, lens dose equivalent <math>&gt; 15</math> rems, shallow-dose equivalent to skin or extremities <math>&gt; 50</math> rems; individual could receive <math>&gt; 1</math> times annual limit on intake in 24 hours.</p>	<p>Immediate or within 24 hours (see reporting criteria): to USNRC by USNRC Licensee responsible for the incident.</p>	<p>Within 30 days of incident: licensee shall submit written report to USNRC.  Report content specified in 10 CFR 20.2003  Written report also required for occurrences as specified in 10 CFR 20 Section 20.2203 and after the occurrence of any lost, stolen, or missing licensed material becomes known to the licensee, and if at the time the report is filed all licensed material in a quantity greater than 10 times the quantity specified in appendix C to part 20 is still missing.</p>	<p>US Nuclear Regulatory Commission (USNRC) 301-816-5100  For further information contact DEQ Radiological Protection Program 517-241-1274</p>

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# CHAPTER 6: Release Reporting in Michigan

## Release Notification Requirements in Michigan\*

Act & Regulation	Reporting Criteria	Initial Notification	Written Follow-up Report	Notes
MIOSHA 1974 PA 154 Section 61, Records & Reports; Notice of <b>Fatalities or Hospitalization</b>	Any release that results in one <b>death</b> or the <b>hospitalization</b> of 3 or more persons.	Within 8 hours: to MIOSHA Hotline.	Not required.	MIOSHA Hotline 800-858-0397  For further information contact DLEG-MIOSHA 517-322-1814
TSCA 40 CFR 761.125 (PCBs)	Spills of <b>PCBs</b> at concentrations of 50 ppm or more and subject to decontamination requirements under TSCA that: contaminate surface water, sewers, drinking water supplies, grazing lands or vegetable gardens, or exceed 10 pounds.  (TSCA specifies that these requirements are in addition to any under CWA or CERCLA. e.g. CERCLA requires spills of 1 pound or more to be reported to NRC.)	As soon as possible after discovery, and within 24 hours: to EPA Region 5.	Not required to be submitted. Records of cleanup and certification of decontamination shall be documented.	EPA Region 5 Toxic Program Section 312-886-6003
SARA Title III Section 313 40 CFR 372 (Toxic chemical release reporting)	Covered facilities as defined in 40 CFR 372 subpart B are subject to <b>toxic</b> chemical release reporting for toxic chemicals and chemical categories listed in 40 CFR 372 subpart D.  On 6/30/05, methyl ethyl ketone (MEK) was removed from the list of toxic chemicals.  71 FR 32464 (6/6/06) amended 40 CFR Part 372 to include NAICS subsector and industry codes to determine covered facilities.	Not applicable.	Annually by July 1: to EPA & SERC on EPA's Form R "Toxic Chemical Release Inventory Reporting Form" (EPA Form 9350-1, Rev. 01/2008)  Report aggregate releases (permitted & unpermitted)	For further information contact EPA Region 5 Michigan SARA Title III Program accepts reports on behalf of SERC  For further information contact Michigan SARA Title III Program 517-373-8481

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

### Acronyms used in table:

<p>AQD = Air Quality Division AST = Above Ground Storage Tank BSR = Bureau of Safety &amp; Regulation CAA = Clean Air Act CERCLA = Comprehensive Environmental Response, Compensation and Liability Act of 1980 CFR = Code of Federal Regulations CWA = Clean Water Act DEQ = Michigan Department of Environmental Quality DLEG = Department of Labor and Economic Growth DOT = Department of Transportation EHS = Extremely Hazardous Substance EO = Executive Order EPA = U. S. Environmental Protection Agency EPCRA = Emergency Planning &amp; Community Right-to-Know Act ESSD = Environmental Science &amp; Services Division FIFRA = Federal Insecticide, Fungicide, &amp; Rodenticide Act FL/CL = Flammable and combustible liquids</p>	<p>FOD = Field Operations Division FR = Federal Register HAP = Hazardous Air Pollutant HB = House Bill LEPC = Local Emergency Planning Committee LNG = Liquefied Natural Gas MCL = Michigan Compiled Laws MDA = Michigan Department of Agriculture MIOSHA = Michigan Occupational Safety and Health Act MSP = Michigan Department of State Police NAICS = North American Industry Classification System NRC = National Response Center (U.S. Coast Guard) NERPA = Natural Resources &amp; Environmental Protection Act OGS = Office of Geological Survey OPS = Office of Pipeline Safety (US DOT) OSC = On Scene Coordinator PA = Public Act (Michigan)</p>
<p>PCB = Polychlorinated biphenyl PEAS = Pollution Emergency Alerting System PHMSA = Pipeline &amp; Hazardous Materials Safety Administration RMP = Risk Management Program RO = Reportable Quantity RRD = Remediation &amp; Redevelopment Division RSPA = Research &amp; Special Programs Administration (US DOT) SARA = Superfund Amendments and Reauthorization Act of 1986 SERC = State Emergency Response Commission TRI = Toxic Chemical Release Inventory TSCA = Toxic Substance Control Act TSDF = Treatment, Storage &amp; Disposal Facility US EPA = U. S. Environmental Protection Agency USNRC = U. S. Nuclear Regulatory Commission UST = Underground Storage Tank WB = Water Bureau WHMID = Waste &amp; Hazardous Materials Division</p>	<p>PEAS = Pollution Emergency Alerting System PHMSA = Pipeline &amp; Hazardous Materials Safety Administration RMP = Risk Management Program RO = Reportable Quantity RRD = Remediation &amp; Redevelopment Division RSPA = Research &amp; Special Programs Administration (US DOT) SARA = Superfund Amendments and Reauthorization Act of 1986 SERC = State Emergency Response Commission TRI = Toxic Chemical Release Inventory TSCA = Toxic Substance Control Act TSDF = Treatment, Storage &amp; Disposal Facility US EPA = U. S. Environmental Protection Agency USNRC = U. S. Nuclear Regulatory Commission UST = Underground Storage Tank WB = Water Bureau WHMID = Waste &amp; Hazardous Materials Division</p>

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# CHAPTER 6: Release Reporting in Michigan



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

## SPILL OR RELEASE REPORT

**NOTE:** Some regulations require a specific form to use and procedures to follow when reporting a release. Those forms and procedures **MUST** be used and followed if reporting under those regulations. This report form is to aid persons reporting releases under regulations that do not require a specific form. This report form is not required to be used. **To report a release, some regulations require a facility to call the PEAS Hotline at 800-292-4706, or DEQ District Office that oversees the county where it occurred, and other regulating agencies and provide the following information. A follow-up written report may be required. Keep a copy of this report as documentation that the release was reported. If you prefer to submit this report electronically by FAX or e-mail, contact the regulating agency for the correct telephone number or e-mail address. See the DEQ website on [Spill/Release Reporting](#) for more reporting information.**

**Please print or type all information.**

NAME AND TITLE OF PERSON SUBMITTING WRITTEN REPORT			TELEPHONE NUMBER (provide area code)			
NAME OF BUSINESS		RELEASE LOCATION (provide address if different than business, if known, and give directions to the spill location. Include nearest highway, town, road intersection, etc.)				
STREET ADDRESS						
CITY	STATE					ZIP CODE
BUSINESS TELEPHONE NUMBER (provide area code)						
SITE IDENTIFICATION NUMBER AND OTHER IDENTIFYING NUMBERS (if applicable)		COUNTY	TOWNSHIP	TIER/RANGE/SECTION (if known)		
<b>RELEASE DATA.</b> Complete all applicable categories. Check all the boxes that apply to the release. Provide the best available information regarding the release and its impacts. Attach additional pages if necessary.						
DATE & TIME OF RELEASE (if known) ____/____/____ ____ am/pm	DATE & TIME OF DISCOVERY ____/____/____ ____ am/pm	DURATION OF RELEASE (if known) ____ days ____ hours ____ minutes	TYPE OF INCIDENT <input type="checkbox"/> Explosion <input type="checkbox"/> Fire <input type="checkbox"/> Leaking container <input type="checkbox"/> Loading/unloading release <input type="checkbox"/> Pipe/valve leak or rupture <input type="checkbox"/> Vehicle accident <input type="checkbox"/> Other _____			
MATERIAL RELEASED (Chemical or trade name) <input type="checkbox"/> CHECK HERE IF ADDITIONAL MATERIALS LISTED ON ATTACHED PAGE.		CAS NUMBER or HAZARDOUS WASTE CODE	ESTIMATED QUANTITY RELEASED (indicate unit e.g. lbs, gals, cu ft or yds)	PHYSICAL STATE RELEASED (indicate if solid, liquid, or gas)		
FACTORS CONTRIBUTING TO RELEASE <input type="checkbox"/> Equipment failure <input type="checkbox"/> Operator error <input type="checkbox"/> Faulty process design <input type="checkbox"/> Training deficiencies <input type="checkbox"/> Unusual weather conditions <input type="checkbox"/> Other _____			SOURCE OF LOSS <input type="checkbox"/> Container <input type="checkbox"/> Railroad car <input type="checkbox"/> Pipeline <input type="checkbox"/> Ship <input type="checkbox"/> Tank <input type="checkbox"/> Tanker <input type="checkbox"/> Truck <input type="checkbox"/> Other _____			
TYPE OF MATERIAL RELEASED <input type="checkbox"/> Agricultural: manure, pesticide, fertilizer <input type="checkbox"/> Chemicals <input type="checkbox"/> Flammable or combustible liquid <input type="checkbox"/> Hazardous waste <input type="checkbox"/> Liquid industrial waste <input type="checkbox"/> Oil/petroleum products or waste <input type="checkbox"/> Salt <input type="checkbox"/> Sewage <input type="checkbox"/> Other _____ <input type="checkbox"/> Unknown		MATERIAL LISTED ON or DEFINED BY <input type="checkbox"/> CAA Section 112(r) list (40 CFR Part 68) <input type="checkbox"/> CERCLA Table 302.4 (40 CFR Part 302) <input type="checkbox"/> EPCRA Extremely Hazardous Substance (40 CFR Part 355) <input type="checkbox"/> Michigan Critical Materials Register or permit <input type="checkbox"/> NREPA Part 31, Part 5 Rules polluting material <input type="checkbox"/> NREPA Part 111 or RCRA hazardous waste <input type="checkbox"/> NREPA Part 121 liquid industrial waste <input type="checkbox"/> Other list _____ <input type="checkbox"/> Unknown		IMMEDIATE ACTIONS TAKEN <input type="checkbox"/> Containment <input type="checkbox"/> Dilution <input type="checkbox"/> Evacuation <input type="checkbox"/> Hazard removal <input type="checkbox"/> Neutralization <input type="checkbox"/> System shut down <input type="checkbox"/> Diversion of release to treatment <input type="checkbox"/> Decontamination of persons or equipment <input type="checkbox"/> Monitoring <input type="checkbox"/> Other _____		
RELEASE REACHED <input type="checkbox"/> Surface waters (include name of river, lake, drain involved) _____ Distance from spill location to surface water, in feet _____ <input type="checkbox"/> Drain connected to sanitary sewer (include name of wastewater treatment plant and/or street drain, if known) _____ <input type="checkbox"/> Drain connected to storm sewer (include name of drain or water body it discharges into, if known) _____ <input type="checkbox"/> Groundwater (indicate if it is a known or suspected drinking water source and include name of aquifer, if known) _____ <input type="checkbox"/> Soils (include type e.g. clay, sand, loam, etc.) _____ <input type="checkbox"/> Ambient Air <input type="checkbox"/> Spill contained on impervious surface						

THIS IS A MASTER COPY. PLEASE MAKE COPIES AS NEEDED.

# CHAPTER 6: Release Reporting in Michigan

EXTENT OF INJURIES, IF ANY  _____  _____	WAS ANYONE HOSPITALIZED? <input type="checkbox"/> Yes NUMBER _____ HOSPITALIZED: _____  <input type="checkbox"/> No	TOTAL NUMBER OF INJURIES TREATED ON-SITE:  _____																																																																							
DESCRIBE THE INCIDENT, THE TYPE OF EQUIPMENT INVOLVED IN THE RELEASE, HOW THE VOLUME OF LOSS WAS DETERMINED, ALONG WITH ANY RESULTING ENVIRONMENTAL DAMAGE CAUSED BY THE RELEASE. IDENTIFY WHO IMMEDIATELY RESPONDED TO THE INCIDENT (own employees or contractor — include cleanup company name, contact person, and telephone number). ALSO IDENTIFY WHO DID FURTHER CLEANUP ACTIVITIES, IF PERFORMED OR KNOWN WHEN REPORT SUBMITTED <input type="checkbox"/> CHECK HERE IF DESCRIPTION OR ADDITIONAL COMMENTS ARE INCLUDED ON ATTACHED PAGE  _____  _____  _____  _____																																																																									
ESTIMATED QUANTITY OF ANY RECOVERED MATERIALS AND A DESCRIPTION OF HOW THOSE MATERIALS WERE MANAGED (include disposal method if applicable) <input type="checkbox"/> CHECK HERE IF DESCRIPTION OR ADDITIONAL COMMENTS ARE INCLUDED ON ATTACHED PAGE  _____  _____																																																																									
ASSESSMENT OF ACTUAL OR POTENTIAL HAZARDS TO HUMAN HEALTH (include known acute or immediate and chronic or delayed effects, and where appropriate, advice regarding medical attention necessary for exposed individuals.) <input type="checkbox"/> CHECK HERE IF DESCRIPTION OR ADDITIONAL COMMENTS ARE INCLUDED ON ATTACHED PAGE  _____  _____																																																																									
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY NOTIFIED: INITIAL CONTACT BY: <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Email <input type="checkbox"/> Other DATE/TIME INITIAL CONTACT: _____  <input type="checkbox"/> PEAS: 800-292-4706 Log Number Assigned _____ <input type="checkbox"/> DEQ District or Field Office Divisions or Offices Contacted: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Baraga</td> <td><input type="checkbox"/> Gwinn</td> <td><input type="checkbox"/> Air Quality</td> </tr> <tr> <td><input type="checkbox"/> Bay City</td> <td><input type="checkbox"/> Jackson</td> <td><input type="checkbox"/> Land &amp; Water Management</td> </tr> <tr> <td><input type="checkbox"/> Cadillac</td> <td><input type="checkbox"/> Kalamazoo</td> <td><input type="checkbox"/> Office Geological Survey</td> </tr> <tr> <td><input type="checkbox"/> Crystal Falls</td> <td><input type="checkbox"/> Lansing</td> <td><input type="checkbox"/> Remediation and Redevelopment</td> </tr> <tr> <td><input type="checkbox"/> Detroit</td> <td><input type="checkbox"/> Newberry</td> <td><input type="checkbox"/> Waste and Hazardous Materials</td> </tr> <tr> <td><input type="checkbox"/> Gaylord</td> <td><input type="checkbox"/> Warren</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Grand Rapids</td> <td><input type="checkbox"/> Wyoming</td> <td></td> </tr> </table> DEQ Office locations are subject to change <input type="checkbox"/> Water Bureau	<input type="checkbox"/> Baraga	<input type="checkbox"/> Gwinn	<input type="checkbox"/> Air Quality	<input type="checkbox"/> Bay City	<input type="checkbox"/> Jackson	<input type="checkbox"/> Land & Water Management	<input type="checkbox"/> Cadillac	<input type="checkbox"/> Kalamazoo	<input type="checkbox"/> Office Geological Survey	<input type="checkbox"/> Crystal Falls	<input type="checkbox"/> Lansing	<input type="checkbox"/> Remediation and Redevelopment	<input type="checkbox"/> Detroit	<input type="checkbox"/> Newberry	<input type="checkbox"/> Waste and Hazardous Materials	<input type="checkbox"/> Gaylord	<input type="checkbox"/> Warren		<input type="checkbox"/> Grand Rapids	<input type="checkbox"/> Wyoming		OTHER ENTITIES NOTIFIED:  <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> National Response Center (NRC): 800-424-8802</td> <td style="text-align: right;">Date: _____</td> <td style="text-align: right;">Time: _____</td> </tr> <tr> <td><input type="checkbox"/> US Coast Guard Office:</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td style="padding-left: 20px;"><input type="checkbox"/> Detroit <input type="checkbox"/> Grand Haven <input type="checkbox"/> Sault Ste. Marie</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> US Department of Transportation</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> US Environmental Protection Agency</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> 911 (or primary public safety answering point)</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Local Fire Department</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Local Police and/or State Police</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Local Emergency Planning Committee</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> State Emergency Response Commission via MI SARA Title III Program</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Wastewater Treatment Plant Authority</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Hazmat Team</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Local Health Department</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Department of Labor &amp; Economic Growth MIOSHA</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Department of Labor &amp; Economic Growth Fire Safety</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Michigan Department of Agriculture: 800-405-0101</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> <tr> <td><input type="checkbox"/> Other _____</td> <td style="text-align: right;">_____</td> <td style="text-align: right;">_____</td> </tr> </table>	<input type="checkbox"/> National Response Center (NRC): 800-424-8802	Date: _____	Time: _____	<input type="checkbox"/> US Coast Guard Office:	_____	_____	<input type="checkbox"/> Detroit <input type="checkbox"/> Grand Haven <input type="checkbox"/> Sault Ste. Marie			<input type="checkbox"/> US Department of Transportation	_____	_____	<input type="checkbox"/> US Environmental Protection Agency	_____	_____	<input type="checkbox"/> 911 (or primary public safety answering point)	_____	_____	<input type="checkbox"/> Local Fire Department	_____	_____	<input type="checkbox"/> Local Police and/or State Police	_____	_____	<input type="checkbox"/> Local Emergency Planning Committee	_____	_____	<input type="checkbox"/> State Emergency Response Commission via MI SARA Title III Program	_____	_____	<input type="checkbox"/> Wastewater Treatment Plant Authority	_____	_____	<input type="checkbox"/> Hazmat Team	_____	_____	<input type="checkbox"/> Local Health Department	_____	_____	<input type="checkbox"/> Department of Labor & Economic Growth MIOSHA	_____	_____	<input type="checkbox"/> Department of Labor & Economic Growth Fire Safety	_____	_____	<input type="checkbox"/> Michigan Department of Agriculture: 800-405-0101	_____	_____	<input type="checkbox"/> Other _____	_____	_____
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<input type="checkbox"/> Local Emergency Planning Committee	_____	_____																																																																							
<input type="checkbox"/> State Emergency Response Commission via MI SARA Title III Program	_____	_____																																																																							
<input type="checkbox"/> Wastewater Treatment Plant Authority	_____	_____																																																																							
<input type="checkbox"/> Hazmat Team	_____	_____																																																																							
<input type="checkbox"/> Local Health Department	_____	_____																																																																							
<input type="checkbox"/> Department of Labor & Economic Growth MIOSHA	_____	_____																																																																							
<input type="checkbox"/> Department of Labor & Economic Growth Fire Safety	_____	_____																																																																							
<input type="checkbox"/> Michigan Department of Agriculture: 800-405-0101	_____	_____																																																																							
<input type="checkbox"/> Other _____	_____	_____																																																																							
NAME AND TITLE OF PERSON MAKING INITIAL REPORT:  _____  _____	PERSON CONTACTED & PHONE NUMBER:  _____  _____																																																																								
DEQ STAFF CONTACTED & PHONE NUMBER:  _____  _____	DATE WRITTEN REPORT SUBMITTED _____																																																																								
SIGNATURE OF PERSON SUBMITTING WRITTEN REPORT _____																																																																									

THIS IS A MASTER COPY. PLEASE MAKE COPIES AS NEEDED.

## CHAPTER 6: Release Reporting in Michigan

### Release Calculations

*How to determine the reportable quantity of a product based on the reportable quantity of an ingredient.*

#### Example Calculation: When is a release of gasoline reportable?

Under Michigan's Natural Resources & Environmental Protection Act (NREPA) Part 201 regulation, releases of CERCLA hazardous substances as published in the 2001 version of 40 CFR 302, Table 302.4 must be reported. Gasoline is not included on this list. However, some of the ingredients in gasoline are on the list of CERCLA hazardous substances published in 2001 and are reportable under this regulation.

This example shows you how to determine when a release of gasoline *in gallons* is reportable under NREPA Part 201 based on reportable quantities *in pounds* of the ingredients.

#### 1. Identify the hazardous ingredients, reportable quantities, and weight percents.

Look at the example MSDS for gasoline to find the hazardous ingredients and the weight percents of those ingredients. Look at the "List of Lists" to find the reportable quantity of an ingredient that is a CERCLA hazardous substance. The "List of Lists" in Appendix B includes the 2006 version of the CERCLA hazardous substance list, but any changes to the list that occurred between 2001 and 2006 do not affect this example.

**Benzene** (CAS number 71-43-2) is a CERCLA hazardous substance listed in the "List of Lists." The reportable quantity (RQ) for benzene under CERCLA is 10 pounds. That means that a release of 10 pounds or more of benzene to the environment must be reported to the DEQ Remediation & Redevelopment district office (or PEAS after hours). The weight percent of benzene in the example gasoline is 0.4 to 5%. When calculating a reportable release, use the higher, more conservative, weight percent.

#### 2. Calculate the weight of the gasoline.

Because the gasoline is a liquid measured in gallons, and the reportable quantity of benzene is in pounds, we must calculate the weight of a gallon of gasoline. The formula is as follows:

$$\text{Specific gravity of the product} \times 8.34 \text{ lb/gal (weight of water)} = \text{weight of the product in lb/gal}$$

The specific gravity, also called the relative density, can be found in the "Physical & Chemical Properties" section of the MSDS. It is a unit-less number that tells how much the substance weighs relative to the weight of water. If the specific gravity is 1, the substance weighs the same as water. If it is less than 1, then the substance weighs less than water. If you think about this logically, you know that gasoline floats on water (thus the sheen you see on water at boat launches), so you can conclude that gasoline must weigh less than water. The specific gravity is often reported as a range. In this example, the specific gravity is reported on the MSDS as a range of 0.72 to 0.75. If you plug these values into the calculation, this gasoline can weigh anywhere from 6.0 lb/gal to 6.3 lb/gal. When

## CHAPTER 6: Release Reporting in Michigan

calculating a reportable release, use the higher, more conservative, value. Thus the weight we will use for our example gasoline is 6.3 lb/gal.

### 3. Calculate the smallest reportable release of gasoline

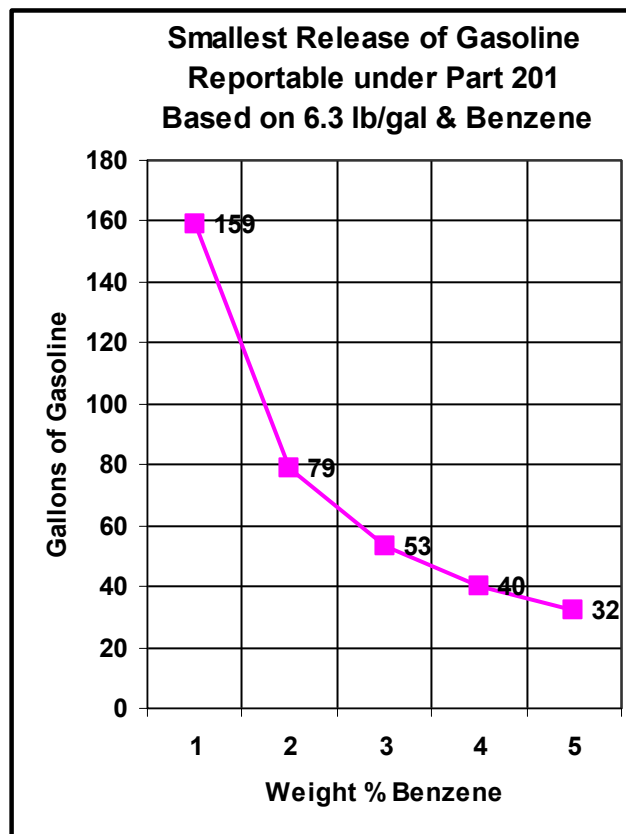
under NREPA Part 201 based on the ingredient benzene. Here is the formula:

$$\text{RQ of ingredient (lbs)} \div \text{weight of product (lb/gal)} \div \text{weight \% of ingredient} = \text{reportable gallons of product}$$

Using the numbers we have determined above, we get:

**10 lb (RQ benzene)  $\div$  6.3 lb/gal gasoline  $\div$  .05 (wt. % benzene) = 32 gallons of gasoline**  
(reportable if released to the environment).

The following graph shows how the reportable quantity of gasoline varies with the weight percent of benzene.



There would be a smaller reportable quantity (the line would shift down) for “heavier” gasoline. Look at all hazardous ingredients to determine which one would “control” the reportable quantity. The controlling ingredient is the one that results in the smallest reportable quantity. For gasoline, the controlling ingredient is benzene.

In real life, this is not an exact science. Use this as a way to come up with educated guesstimates for when to report. For gasoline, report any release that looks like it is approaching 30 gallons or more.

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Keep in mind that smaller releases of gasoline are potentially reportable under other regulations (e.g. if the release reaches surface or groundwater). Also remember that **all releases must be cleaned up** to the extent specified in the regulations. This includes releases that are not reportable under any regulation.

### Summary:

When determining reportable releases, it is important to realize that it is sometimes the ingredients in a given product that make the release of the product reportable. There are three main steps in the process for determining when a release of a product is subject to reporting based on the reportable quantities of the ingredients:

1. Identify the hazardous ingredients, corresponding reportable quantities, and weight percents. This depends on the regulation!
2. If the product is a liquid and the reportable quantity of the ingredient is given in pounds, calculate the weight of the product in pounds per gallon. If the product is a solid, skip this step.
3. Calculate the smallest reportable release.  
For a liquid, use the formula in step 3 of the example. If the product is a solid, the formula is:

$$\text{RQ of ingredient (lbs)} \div \text{weight \% of ingredient in solid product} = \text{reportable pounds of solid product}$$

# M S D S

- **MSDS for Gasoline  
(Example)**



# CHAPTER 6: Release Reporting in Michigan

## MATERIAL SAFETY DATA SHEET

### REGULAR UNLEADED GASOLINE

#### Section 1 - Product and Company Identification

**Product Identification:** REGULAR UNLEADED GASOLINE  
**Date of MSDS:** 02/18/1988 **Technical Review Date:** 12/10/1992

#### Manufacturer's Information

**Manufacturer's Name:** XXX OIL COMPANY  
**Manufacturer's Address1:** HEALTH, SAFETY AND ENVIRONMENT  
**Manufacturer's Address2:** HOUSTON, TX 77210  
**Emergency Telephone:** 713-473-9461/800-424-9300(CHEMTREC)  
**MSDS Preparer's Name:** JOHN Q SMITH

#### Item Description

**Item Name:** GASOLINE,AUTOMOTIVE  
**Specification Number:** VV-V-00169A  
**Type/Grade/Class:** CL A,B,C,D,E;GR PREM  
**Unit of Issue:** GL  
**Unit of Issue Quantity:** X  
**Type of Container:** BULK

#### Section 2 - Composition/Information on Ingredients

**Ingredient Name:** 1,2,4-TRIMETHYLBENZENE (SARA III)

**Ingredient CAS Number:** 95-63-6

**Wt %:** 0-5

**OSHA PEL:** 25 PPM **OSHA PEL Code:** M

**ACGIH TLV:** 25 PPM; 9293 **ACGIH TLV Code:** M

**Ingredient Name:** ALKANES, CYCLOALKANES, ALKENES AND AROMATIC HYDROCARBONS

**Ingredient CAS Number:**

**Wt %:** BALANCE

**OSHA PEL:** NOT ESTABLISHED **OSHA PEL Code:** M

**ACGIH TLV:** NOT ESTABLISHED **ACGIH TLV Code:** M

**Ingredient Name:** BENZENE (SARA III)

**Ingredient CAS Number:** 71-43-2

**Wt %:** 0.4 - 5

**OSHA PEL:** 1PPM/5STEL;1910.1028 **OSHA PEL Code:** M

**ACGIH TLV:** 10 PPM; A2; 9293 **ACGIH TLV Code:** M

**Ingredient Name:** CYCLOHEXANE (SARA III)

**Ingredient CAS Number:** 110-82-7

**Wt %:** 0-1

**OSHA PEL:** 300 PPM **OSHA PEL Code:** M

**ACGIH TLV:** 300 PPM, 9293 **ACGIH TLV Code:** M

**Ingredient Name:** ETHYL BENZENE (SARA III)

**Ingredient CAS Number:** 100-41-4

**Wt %:** 0-3

**OSHA PEL:** 100 PPM/125 STEL **OSHA PEL Code:** M

**ACGIH TLV:** 100 PPM/125STEL 9293 **ACGIH TLV Code:** M

**Ingredient Name:** METHYL TERT-BUTYL ETHER (SARA III)

**Ingredient CAS Number:** 1634-04-4

**Wt %:** 0-16

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**OSHA PEL:** NOT ESTABLISHED **OSHA PEL Code:** M  
**ACGIH TLV:** NOT ESTABLISHED **ACGIH TLV Code:** M

**Ingredient Name:** NAPHTHALENE (SARA III)  
**Ingredient CAS Number:** 91-20-3  
**Wt %:** 0-1  
**OSHA PEL:** 10 PPM/15 STEL **OSHA PEL Code:** M  
**ACGIH TLV:** 10 PPM/15 STEL; 9293 **ACGIH TLV Code:** M

**Ingredient Name:** TOLUENE (SARA III)  
**Ingredient CAS Number:** 108-88-3  
**Wt %:** 0 - 25  
**OSHA PEL:** 200 PPM/150 STEL **OSHA PEL Code:** M  
**ACGIH TLV:** 50 PPM; 9293 **ACGIH TLV Code:** M

**Ingredient Name:** XYLENES (O-,M-,P- ISOMERS) (SARA III)  
**Ingredient CAS Number:** 1330-20-7  
**Wt %:** 0 - 25  
**OSHA PEL:** 100 PPM/150 STEL **OSHA PEL Code:** M  
**ACGIH TLV:** 100 PPM/150 STEL; 9293 **ACGIH TLV Code:** M

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### Section 3 - Hazards Identification, Including Emergency Overview

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**Health Hazards Acute & Chronic:** ACUTE-HIGH VAPOR CONCENTRATIONS MAY CAUSE CNS DEPRESSION; I.E. HEADACHE, NAUSEA, DROWSINESS, DIZZINESS. ACCIDENTAL INGESTION MAY CAUSE SIMILAR SYMPTOMS. IT IS AN ASPIRATION HAZARD. MAY CAUSE EYE IRRITATION, REDNESS, TEARING & BURNING. PROLONGED/REPEATED SKIN CONTACT CAN CAUSE IRRITATION, DEFATTING & DERMATITIS. CHRONIC- DERMATITIS.

**Medical Conditions Aggravated by Exposure:**  
PERSONS WITH PRE-EXISTING SKIN DISORDERS OR IMPAIRED RESPIRATORY OR LIVER OR KIDNEY FUNCTION MAY BE MORE SUSCEPTIBLE TO THE EFFECTS OF THE SUBSTANCE.

**LD50 LC50 Mixture:** ACUTE ORAL LD50 (RAT) IS 5,000 MG/KG.

**Route of Entry Indicators:**

**Inhalation:** YES

**Skin:** YES

**Ingestion:** NO

**Carcinogenicity Indicators**

**NTP:** YES

**IARC:** YES

**OSHA:** YES

**Carcinogenicity Explanation:** CONTAINS BENZENE. MAY CAUSE BLOOD DISEASES INCLUDING LEUKEMIA. VAPORS MAY CAUSE KIDNEY CANCER IN MALE RATS.

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### Section 4 - First Aid Measures

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**First Aid:**

CALL A PHYSICIAN IN ALL CASES. EYES: IMMEDIATELY FLUSH WITH WATER FOR 15 MINUTES, HOLDING EYELIDS OPEN. SKIN: WASH WITH SOAP & WATER. INHALED: REMOVE TO FRESH AIR & PROVIDE CPR/OXYGEN IF NECESSARY. ORAL: DO NOT INDUCE VOMITING. CALL A PHYSICIAN IMMEDIATELY. IF VOMITING OCCURS SPONTANEOUSLY, KEEP HEAD BELOW HIPS. NOTE TO PHYSICIAN: IF >2ML/KG HAS BEEN INGESTED & NO VOMITING, EMESIS SHOULD BE INDUCED BY DOCTOR.

## CHAPTER 6: Release Reporting in Michigan

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### Section 5 - Fire Fighting Measures

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**Fire Fighting Procedures:**

WEAR FIRE FIGHTING PROTECTIVE EQUIPMENT & A FULL FACED SELF CONTAINED BREATHING APPARATUS/SUPPLIED-AIR RESPIRATOR. COOL FIRE EXPOSED CONTAINERS WITH WATER SPRAY.

**Unusual Fire or Explosion Hazard:**

SEVERE FIRE & EXPLOSION HAZARD INDOORS, OUTDOORS OR SEWERS. VAPORS MAY TRAVEL TO IGNITION SOURCE & FLASH BACK. CONTAINERS MAY EXPLODE IN FIRE.

**Extinguishing Media:**

USE WATER FOG, CO<sub>2</sub>, FOAM OR DRY CHEMICAL. WATER MAY BE INEFFECTIVE. PRODUCT FLOATS ON SURFACE OF WATER & REIGNITES.

**Flash Point:** Flash Point Text: -40F, -40C

**Autoignition Temperature:**

**Autoignition Temperature Text:** N/K

**Lower Limit(s):** 1.3%

**Upper Limit(s):** 7.6%

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### Section 6 - Physical & Chemical Properties

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**HCC:** F2

**NRC/State License Number:** N/R

**Net Property Weight for Ammo:** N/R

**Boiling Point:** Boiling Point Text: 100F, 38C

**Melting/Freezing Point:** Melting/Freezing Text: N/R

**Decomposition Point:** Decomposition Text: UNKNOWN

**Vapor Pressure:** 37-39 **Vapor Density:** 3.5

**Percent Volatile Organic Content:**

**Specific Gravity:** 0.72 - 0.75

**Volatile Organic Content Pounds per Gallon:**

**pH:** N/R

**Volatile Organic Content Grams per Liter:**

**Viscosity:** N/P

**Evaporation Weight and Reference:** N/K

**Solubility in Water:** NEGLIGIBLE

**Appearance and Odor:** BRONZE COLOR, CLEAR AND BRIGHT LIQUID - HYDROCARBON ODOR

**Percent Volatiles by Volume:** 100

**Corrosion Rate:** UNKNOWN

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### Section 7 - Stability & Reactivity Data

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**Stability Indicator:** YES

**Materials to Avoid:**

STRONG OXIDIZING AGENTS

**Stability Condition to Avoid:**

HEAT, SPARKS, OPEN FLAMES, STATIC ELECTRICITY AND OTHER SOURCES OF IGNITION. PREVENT VAPORS ACCUMULATION.

**Hazardous Decomposition Products:**

CARBON MONOXIDE, CARBON DIOXIDE AND OTHER UNIDENTIFIED ORGANIC COMPOUNDS

**Hazardous Polymerization Indicator:** NO

**Conditions to Avoid Polymerization:**

N/R

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