

NAVSEA
STANDARD ITEM

FY-24

ITEM NO: 009-93
DATE: 25 OCT 2022
CATEGORY: I

1. SCOPE:

1.1 Title: Emergency Planning and Community Right-to-Know Act (EPCRA) and Pollution Prevention Act (PPA) Information; provide

2. REFERENCES:

2.1 42 U.S.C. 110001, et seq (1986) Emergency Planning and Community Right-to-Know (EPCRA)

2.2 Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), Section 102(a)

2.3 40 CFR Parts 300, 302, 355, 370, and 372, Protection of Environment

2.4 OPNAV M-5090.1, Environmental Readiness Program Manual

3. REQUIREMENTS:

3.1 Contractor facility availabilities:

3.1.1 Designate a primary and secondary point of contact to receive reports /notifications from the SUPERVISOR applicable under this item.

3.1.1.1 These reports/notifications will include quantities of hazardous substances stored or accidentally released by Government activities in accordance with Sections 302, 304, 311, 312, and 313 of 2.1. In accordance with 2.4, material maintained under the ship's custody is not subject to the reporting requirements of 2.1 (See Note 4.1).

3.1.2 Submit the names of the primary and secondary point of contact to the SUPERVISOR in writing prior to availability start date.

3.2 Government facility availabilities:

3.2.1 Provide reports/notifications required in 3.2.2 through 3.2.6.2 to the SUPERVISOR regardless of threshold quantities delineated in 2.1 through 2.3.

3.2.2 EPCRA Section 302 requirements:

3.2.2.1 Submit one legible copy, in approved transferrable media, of Safety Data Sheet (SDS) for each Extremely Hazardous Substances (EHS) listed in 2.3 brought aboard the Government facility.

3.2.2.2 Report quantities of all chemical products containing EHS brought aboard the Government facility.

3.2.3 EPCRA Section 304 requirements:

3.2.3.1 Provide verbal notification of the release of a reportable quantity of an EHS or Hazardous Substance (HS) released at the Government facility to the SUPERVISOR immediately after initial applicable notifications have been made in accordance with local regulations. This verbal notification must be followed by a written notification to the SUPERVISOR within one day.

3.2.4 EPCRA Section 311 requirements:

3.2.4.1 Provide SDS and quantity (by weight) of each HS and EHS in accordance with 2.3, stored on the Government facility.

3.2.5 EPCRA Section 312 requirements:

3.2.5.1 Provide SDS and Tier I and Tier II reports, including quantities processed or used, of all products or substances listed in accordance with 2.3.

3.2.6 EPCRA Section 313 requirements:

3.2.6.1 Provide SDS and quantities processed or used of all products or substances listed in Section 313 lists in accordance with 2.3.

3.2.6.2 The Standard Industrial Classification (SIC) Code exception for reporting under Section 313 of 2.1 must be disregarded when making the required reports.

3.3 All availabilities:

3.3.1 Submit one legible copy, in approved transferrable media, of non-emergency reports and copies of SDS(s) to the SUPERVISOR upon request.

3.3.2 All emergency reports must be made immediately upon becoming aware of the existence of the release.

3.3.3 Utilize individual contract numbers on all reports/ notifications.

4. NOTES:

4.1 None.