

How EPCRA Works in Illinois

As a response to growing concerns about the effects of chemical releases on communities, the U.S. Congress enacted the Emergency Planning and Community Right-To-Know Act (EPCRA) in 1986. The act supports state and local emergency planning efforts and provides citizens and local governments with information concerning potential chemical hazards present in their communities by requiring reports from businesses — **including golf courses** — that deal with hazardous chemicals.

In Illinois, the state's Toxic Substances Disclosure to Employees Act expands the federal OSHA Hazard Communication standard. In addition, the state's Chemical Safety Act requires businesses to submit a chemical safety contingency plan that includes facility emergency response procedures and chemical information.

The law, administered by the Illinois Department of Labor, covers all employers except in-state employers with fewer than 20 employees, out-of-state employers with fewer than five full-time employees working in Illinois and employers of domestic workers at residential dwellings.

The law does not apply to the use of toxic substances, compounds or mixtures that are chemical concentrations less than 1 percent, or — in the case of carcinogens, mutagens or teratogens — less than 0.1 percent.

Covered employers must provide the local fire chief with the following information:

- diagram of plant layout, showing locations of employee work stations, workplace entrances and possible evacuation routes
- chemical storage and usage information
- potential accident and chemical release information
- emergency response procedures.

Penalties of \$1,000 per violation may be assessed. Employees who repeatedly violate the law may be assessed penalties up to \$10,000. Punitive damages also may be assessed, not to exceed 10 times the total amount owed by the liable party or \$20,000, whichever is greater.

Employers not complying with the written chemical safety contingency plan requirements may be liable for civil penalties up to \$10,000 per violation and \$1,000 per day the violation continues.

The Chemical Safety Act grants immunity from civil liability to members of the state emergency response and local emergency planning committees for damages that may occur as a result of emergency planning activities.

Community Right-To-Know Contacts

For emergency release notification, call 800/782-7860.

For general information and emergency planning notification, call the Emergency Services and Disaster Agency at 217/782-4694. For document submissions, call 217/782-4102.

Submit follow-up emergency release notification and chemical inventories to Illinois Emergency Services and Disaster Agency, 110 E. Adams St., Springfield, IL 62706.

Submit material safety data sheets (MSDSs) to Illinois Department of Labor, One West Old State Capitol Plaza, Room 300, Springfield, IL 62701.

Submit annual toxic chemical release inventory forms to Illinois Environmental Protection Agency, 2200 Churchill Road., P. O. Box 19276, Springfield, IL 62708-9276.

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