

SUMMER 2023



EPA Periodic Requirements: Be Prepared!

The U.S. Environmental Protection Agency (USEPA) has time-sensitive and/or periodic requirements that must be met. The brief guidelines below can assist you in meeting your compliance obligations. For more detailed information, visit the regulatory code referenced (www.epa.gov) or contact Hixson.

Clean Air Act

- Every pollution source required to have an operating permit must submit annual (or bi-annual) written reports of emissions (emission inventories). Since due dates vary by state, check specific permit requirements. In addition, note that many permits for major and synthetic minor sources require quarterly and/or annual compliance deviation reports.
- Risk Management Programs (RMPs) must be updated at least once every five years (40 CFR 68.190) and refresher training is required every three years.
- Green House Gas Reporting (40 CFR Part 98): In general, facilities that emit 25,000 metric tons or more per year of GHGs are required to submit annual reports to EPA by March 31.

Clean Water Act

- For those with direct discharges to surface waters, report monitoring information on Discharge

Monitoring Reports (DMRs) at intervals specified in the National Pollutant Discharge Elimination System (NPDES) permit (40 CFR 122.41).

- For NPDES-permitted industrial storm water dischargers:
 - A record of annual inspection and certification that the facility is in compliance with the Storm Water Pollution Prevention Plan and permit.
 - Annual training is required as well as possible quarterly monitoring and analysis (40 CFR 122.44).
 - Some states require additional annual reporting.
- For facilities covered by an Industrial Storm Water "No Exposure" Exemption Certification, a five-year re-certification to USEPA or state is required.

Continued on next page. >

EXPERIENCE IN BRIEF

- **Time-sensitive requirements** vary depending upon the standard and level of hazard involved.
- **Periodically completed requirements** can vary widely. In these situations, we suggest completing the task at least annually; however, it is advisable to verify the timeline by reviewing "letters of interpretation" for the standard.

Oil Pollution Prevention

- Review the Oil Spill Prevention Control and Countermeasure (SPCC) Plan every five years at a minimum. If any changes in oil storage and use have occurred, update plan as soon as possible (40 CFR 112.5).
- Annual Oil SPCC training refresher is required for employees that handle oil and/or are engaged in spill response (40 CFR 112.7).
- Documented, periodic inspections of containment areas and tanks must be completed per the plan.

Resource Conservation & Recovery Act (RCRA)

- Facilities with groundwater monitoring programs must submit an Annual Groundwater Monitoring Summary annually by March 1.
- Large Quantity Generators (LQGs) of hazardous waste (>2,200 lbs/month) must submit a biennial hazardous waste generators report by March 1 of each even-numbered year to USEPA (or state), or annually if required by the state (40 CFR 262.41). LQG's also require documented annual training of employees in proper management and handling of hazardous wastes. Training needs to be performed and documented.

Emergency Planning & Community Right-to-Know Act/SARA Title III

- If required because regulated chemicals are stored over threshold amounts, you must prepare and submit an emergency and hazardous chemical inventory report (Tier I or Tier II) as required by SARA 311/312. Reports must be submitted annually to the State Emergency Response Commission (SERC), Local Emergency Planning Committee (LEPC) and Local Fire Department (LFD) by March 1 (40 CFR 370.25).
- If you submitted a Tier I or Tier II report, and are required by the SERC and/or the LEPC, update your Extremely Hazardous Substance (EHS) Contingency Plan to SERC and/or LEPC by March 1 of each year.
- Annually, on or before July 1, SARA 313 reports on the amounts of listed "toxic chemicals" released into the environment, through either normal operations or on accident, and information on pollution reduction and recycling activities must be submitted. The report must reflect the preceding calendar year's releases to air, water, land, and/or POTWs, and transfers to off-site locations for recycling, energy recovery, proper treatment, storage, or disposal (40 CFR 372.10).

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CONTACT US

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