

## Section 311 - Hazardous Chemical Reporting

Under Section 311 of Title III, a facility must submit the material safety data sheets (MSDS) or a MSDS list for the hazardous chemicals present on site in excess of the threshold level to the State Emergency Response Commission (SERC), Local Emergency Planning Committees (LEPCs), and local fire department. In Kansas, the Commission on Emergency Planning and Response (CEPR) is the SERC. KDHE receives notification on behalf of the CEPR.

This is essentially a one-time requirement for submittal, unless the chemical or product changes. However, a facility must update submittals to these agencies within 90 days when:

- there is new information on a hazardous substance that has previously been submitted, or
- a new hazardous substance arrives at the facility in excess of the threshold planning quantity for the first time.

The Kansas CEPR requests that businesses submit a Tier II form containing hazardous chemicals and their hazards to the state, rather than copies of the material safety data sheets. A completed form must be submitted for:

- extremely hazardous substances at or in excess of the Threshold Planning Quantity (TPQ) per the Consolidated List of Lists or 500 pounds, whichever is *less*, or
- hazardous substances at or in excess of 10,000 pounds.

The LEPC or local fire department may request material safety data sheets for a hazardous chemical at a facility and it must be provided within 30 days.

A report form is available below. The list must identify the hazards associated with the chemical or product. The five categories are:

- Fire hazard
- Sudden release of pressure
- Reactivity
- Immediate or acute health hazard
- Delayed or chronic health hazard