



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 26, 2001

OFFICE OF
ENVIRONMENTAL INFORMATION

Martin G. Trembly
Environmental Engineer - Principal
The Goodyear Tire & Rubber Company,
1144 E. Market Street (Dept. I I OF)
Akron, OH 443 16-0001

Dear Mr. Trembly:

This letter responds to your March 12, 2001 letter, as well as a follow-up telephone conversation, requesting guidance regarding the reporting requirements of section 13 of the Emergency Planning and Community Right-to-Know Act (EPCRA). Specifically, you want to know if a multi-establishment facility decides to report by establishment for one chemical does the facility have to report by establishment (and check the "Part of a facility" box in Part 1. Section 4.2 of the Form R) for all toxic chemicals being reported by the facility.

40 CFR section 372.30(c) directly addresses your concerns regarding reporting by establishment:

A covered facility may consist of more than one establishment. The owner or operator of such a facility at which a toxic chemical was manufactured (including imported), processed, or otherwise used in excess of an applicable threshold may submit a separate Form R for each establishment or for each group of establishments within the facility to report the activities involving the toxic chemical at each establishment or group of establishments. provided that activities involving that toxic chemical at all the establishments within the covered facility are reported. If each establishment or group of establishments files separate reports then for all other chemicals subject to reporting, at that facility they must also Submit separate reports. However, an establishment or group of establishments does not have to submit a report for a chemical that is not manufactured (including, imported), processed, otherwise used, or released at that establishment or group of establishments.

[Emphasis Added.] Accordingly, if a facility decides to report by part (e.g. by establishment) then it must do so for all toxic chemicals being reported by the facility. In such a case, all Form R's submitted should bear a check mark in the "Part of a facility" box in Part 1. Section 4.2 even if only one establishment is required to submit a form R for a particular chemical because no other establishment at the facility manufactured, processed, otherwise used, released or otherwise managed as a waste that chemical. (See also Q&A 78 in the 1998 EPCRA Section 313 Questions and Answers document, December 1998, EPA 745-B-98-004

I hope this information is helpful to you in understanding the reporting requirements of section 313 of EPCRA. If you have any other questions, or desire further information, please call Larry Reisman, of my staff, at 202.260.230.

Sincerely,

A handwritten signature in black ink that reads "Maria J. Doa". The signature is written in a cursive style with a long, sweeping tail that extends to the right.

Maria J. Doa, Director
Toxics Release Inventory Program Division

