



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

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OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Paul T. Hascher, CHMM
Environmental and Safety Specialist
Holland Board of Public Works
625 Hastings Avenue
Holland, MI 49423

Dear Mr. Hascher,

This letter is in response to your October 23, 1998 letter to me concerning the applicability of section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA). Your letter asks for guidance about how the terms "contiguous or adjacent" apply to city owned streets. The City of Holland owns many of the public streets and underlying property within the city boundaries. These streets physically connect city owned property and buildings, some of which are facilities subject to EPCRA section 313. Specifically, in your letter you state that the City of Holland has a power plant which is subject to TRI reporting requirements.

In response to your concern, EPA would not consider two properties *contiguous* if the physical connection between the two properties is limited to a municipally owned road created for and routinely used by the general public. The two properties, however, may still be one facility either because they are *adjacent* sites or because they are one site for EPCRA section 313 purposes. Thus, for example, two city-owned buildings or operations that are across the street from one another may be one facility under EPCRA.

I hope this information is helpful to you in making threshold determinations and release and other waste management calculations for section 313 of EPCRA. If you have any other questions, or desire further information, please call either Larry Reisman at 202.260.2301 or me at 202.260.9592.

Sincerely,

A handwritten signature in cursive script that reads "Maria J. Doa".

Maria J. Doa, Ph.D., Chief
Toxics Release Inventory Branch