
When a chemical spill or release occurs in Colorado, there are a number of reporting and notification requirements that must be followed by the agency or individual responsible for the spill. These requirements tend to be confusing, and regulations often overlap. This brochure explains, in brief, the major requirements. **For more detailed information, please visit our website at www.cdphe.state.co.us.**

General

For all hazardous substance incidents, the local emergency response agencies must be notified.

Releases from Fixed Facilities

Reporting emergency releases from fixed facilities is required by the Superfund Amendments and Reauthorization Act (SARA) Title III, a federal law with which facilities must comply in Colorado. Fixed facilities must immediately report any emergency release that exceeds the reportable quantity for that specific chemical to the agencies listed below. Refer to the SARA Title III List of Lists, available from the Environmental Protection Agency (EPA), for the reportable quantity.

The party that owns the spilled material must immediately notify the following agencies:

1. The National Response Center (NRC);
2. The Colorado Emergency Planning Commission (CEPC), which is represented by the Colorado Department of Public Health and Environment (CDPHE); and
3. The Local Emergency Planning Committee (LEPC).

In addition to telephone notification, the responsible party must also send written notification describing the release and associated emergency response to both the CEPC (in this case, the CDPHE, the address for which is on the back of this brochure) and the LEPC.

Releases from RCRA Facilities

Emergency releases from facilities permitted under the Resource Conservation and Recovery Act (RCRA) are reportable according to the permit requirements. The permit often requires reporting to CDPHE, even if the amount of the release is less than a reportable quantity under SARA Title III (6 CCR, 1007-3).

Transportation Accidents

Transportation accidents that result in a spill or release of a hazardous substance in excess of the reportable quantity must immediately be reported to the National Response Center. Refer to the EPA SARA Title III List of Lists for those substances that have reportable quantities. In addition to the NRC being notified, 911 or the local emergency number must be called. Written notification of any transportation accident involving a release of hazardous materials must be provided to the U.S. Department of Transportation within 30 days (49 CFR 171.16).

Releases to Water

A release of any chemical, petroleum product, sewage, etc., which may enter waters of the State of Colorado (which include surface water, ground water and dry gullies or storm sewers leaking to surface water) must be reported to CDPHE immediately. Written notification to CDPHE must follow within five (5) days (5CCR 1002-61, Section 61.8(5)(d)). Any accidental discharge to the sanitary sewer system must be reported immediately to the local sewer authority and the affected wastewater treatment plant.

Releases of petroleum products and certain hazardous substances listed under the Federal Clean Water Act (40 CFR 116) must be reported to the National Response Center as well as to CDPHE as required under the Clean Water Act and the Oil Pollution Act.

Releases to Air

Any unpredictable failure of air pollution control or process equipment which results in the violation of emission control regulations or permit conditions should be reported to CDPHE by 10 a.m. of the following working day.

If emergency conditions cause excess emissions at a permitted facility, the owner/operator must provide notice to CDPHE no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emission limitations were exceeded due to the emergency (5 CCR, 1001-5, Part C, Section VII(A)).

Releases from Oil and Gas Wells

All spills and releases of exploration and production waste or produced fluid exceeding five (5) barrels, including those contained within unlined berms, shall be reported in writing on the Oil and Gas Conservation Commission Spill/Release Report Form within 10 days of discovery of the spill. If the spill reaches state waters it must also be reported immediately to CDPHE.

Releases from Fuel Storage Tanks

Petroleum releases greater than 25 gallons (or that cause a sheen on nearby surface waters) from above ground and underground fuel storage tanks must be reported to the State Oil Inspector, within 24 hours. This includes spills from fuel pumps. Notification of CDPHE would also be appropriate since CDPHE may be involved in cleanup activities. However, a release to surface water or ground water, no matter how small, must be reported immediately to CDPHE.

Releases from Pipelines

Releases from pipelines must be reported to the Pipeline Safety Commission, (303)231-5701, or 800-424-8802, according to federal regulations.

Radiological Accidents

CDPHE must be notified.

NOTIFICATION NUMBERS

Colorado Department of Public Health and Environment

Toll-Free 24-hour Environmental Emergency Spill Reporting Line

(For reporting spills to CDPHE and the Colorado
Emergency Planning Commission)

877-518-5608

General Information

(For general information during regular office hours
on spill reporting)

(303) 692-3020

Other Numbers

National Response Center
800-424-8802 (24-hour)

Local Emergency Planning Committee
(Call OEM **(303) 273-1622** for list)

State Oil Inspector **(303) 620-4029**

Oil and Gas Conservation Commission
(303) 894-2100
(303) 860-1435 (24-hour)

State Patrol Dispatch Center
(303) 239-4501 (24-hour)

www.cdphe.state.co.us/lr/em_hom.htm

Colorado Department of Public Health and Environment
Emergency Management Program
8100 Lowry Blvd.
Denver, CO 80230-6928



Colorado Department
of Public Health
and Environment

Reporting Chemical Spills and Releases in Colorado



Colorado Department
of Public Health
and Environment

Emergency Management Program

A Guide To The Regulations

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