

Annual Community Right to Know Statement

In 1984, a release of toxic chemicals in Bhopal, India resulted in the deaths of 2000 people and injury to thousands of others. Eight months later, a less toxic derivative of the same chemical was released from a plant in West Virginia. These two incidents caused the United States government to enact legislation to ensure that equipment and response plans are in place, and that information is available to the public on the hazardous materials in their communities.

The Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) establishes requirements for Federal, State and local governments, Indian Tribes, and industry regarding emergency planning and “Community Right-to-Know” reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public’s knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. In addition, working with facilities, local preparedness and response agencies can use the information to improve chemical safety and protect public health and the environment.

Facilities covered by this legislation must submit annually an emergency and hazardous chemical inventory form to the LEPC, the SERC, and the local fire department. Facilities provide either a Tier I or Tier II form which includes the following information:

- An estimate (in ranges) of the maximum amount of chemicals for each category present at the facility at any time during the preceding calendar year;
- An estimate (in ranges) of the average daily amount of chemicals in each category; and,
- The general location of hazardous chemicals in each Category.

In accordance with Section 324 of EPCRA, all information obtained from an owner or operator pursuant to EPCRA and any requested Tier II forms or the Material Safety Data Sheets (MSDS) otherwise in possession of the LEPC are available to any person submitting a request under this section, subject to any withholding provisions of EPCRA. If the owner should request the location of a specified chemical not be identified, that information will be withheld.

All requests for information requested by a member of the public shall be in writing and will be provided at the sole expense of the requestor(s). All written requests for information shall be complied with in accordance with the Freedom of Information Act.

Information may be requested from:

Local Emergency Planning Committee
c/o Flathead County Office of Emergency Services
625 Timberwolf Parkway
Kalispell, MT 59901