



Risk Management Program for Local Emergency Planning

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Presentation Overview

- ▶ Emergency Planning and Community Right-to-Know Act (EPCRA) **Emergency Planning Provisions**
- ▶ Risk Management Program Overview



Emergency Planning and Community Right-to-Know Act

- ▶ October 17, 1986: Congress amended the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) with the enactment of title III of the Superfund Amendments and Reauthorization Act (SARA Title III).
- ▶ Establishes State or Tribal Emergency Response Commission (SERC or TERC) and Local or Tribal Emergency Planning Committees (LEPC or TEPC)
- ▶ Requires facilities to report hazardous chemical inventories and releases of hazardous and extremely hazardous substances.
- ▶ Delegates local planning efforts to the locals and states

EPCRA Mission Statement

Encourage, support, and participate in chemical emergency planning efforts at the state, tribe, and local levels to ensure a robust National Response System as outlined in the National Contingency Plan, and so that communities have the information and tools necessary to protect themselves from chemical hazards.



EPCRA 301

Emergency Planning Provisions



- ▶ **§ 11001 State or Tribal commissions and Local Emergency Planning Committees**
 - ▶ Formation of State or Tribal Emergency Response Commissions (SERCs or TERCs)
 - ▶ Appointment of Local Emergency Planning Committees (LEPCs and TEPCs)
 - ▶ Supervision of LEPC and TEPC activity by SERC or TERC
 - ▶ Establish procedures for receiving and processing public request for information



EPCRA 302

Emergency Planning Provisions



▶ § 11002 Emergency Planning: Substances and Facilities

- ▶ Facilities are subject if they have an Extremely Hazardous Substance (EHS) [40 CFR 355 Appendices] in excess of the threshold planning quantity (TPQ) for each substance.
- ▶ Facilities shall notify the SERC or TERC that they are subject to the EHS planning requirements.
- ▶ SERCs or TERCs may designate additional facilities.
- ▶ SERCs or TERCs shall notify the EPA of each EHS facility.



EPCRA 303

Emergency Planning Provisions



▶ § 11003 Comprehensive Emergency Response Plans

- ▶ LEPCs and TEPCs shall prepare emergency plans
- ▶ Facilities shall notify the LEPC or TEPC who their coordinator is, of relevant changes, and provide any information necessary for emergency plan development, upon request.
- ▶ SERCs or TERCs shall review the emergency plans at least annually
- ▶ National Response Team (NRT) shall provide planning and implementation guidance
- ▶ Regional Response Teams (RRTs) may review and comment upon emergency plans, if requested by the LEPC or TEPC.



EPCRA 303

Comprehensive Emergency Response Plan



- ▶ **Each emergency response plan shall include, but is not limited to:**
 1. Identification of Section 302 regulated facilities, Extremely Hazardous Substance transportation routes, and additional facilities that add risk or have risk because they are located near high-risk facilities or transportation routes (e.g., natural gas facilities or hospitals)
 2. Description of response procedures for facility owners and operators, local emergency personnel, and local medical personnel
 3. Designation of a community emergency coordinator and facility emergency coordinators



EPCRA 303

Comprehensive Emergency Response Plan



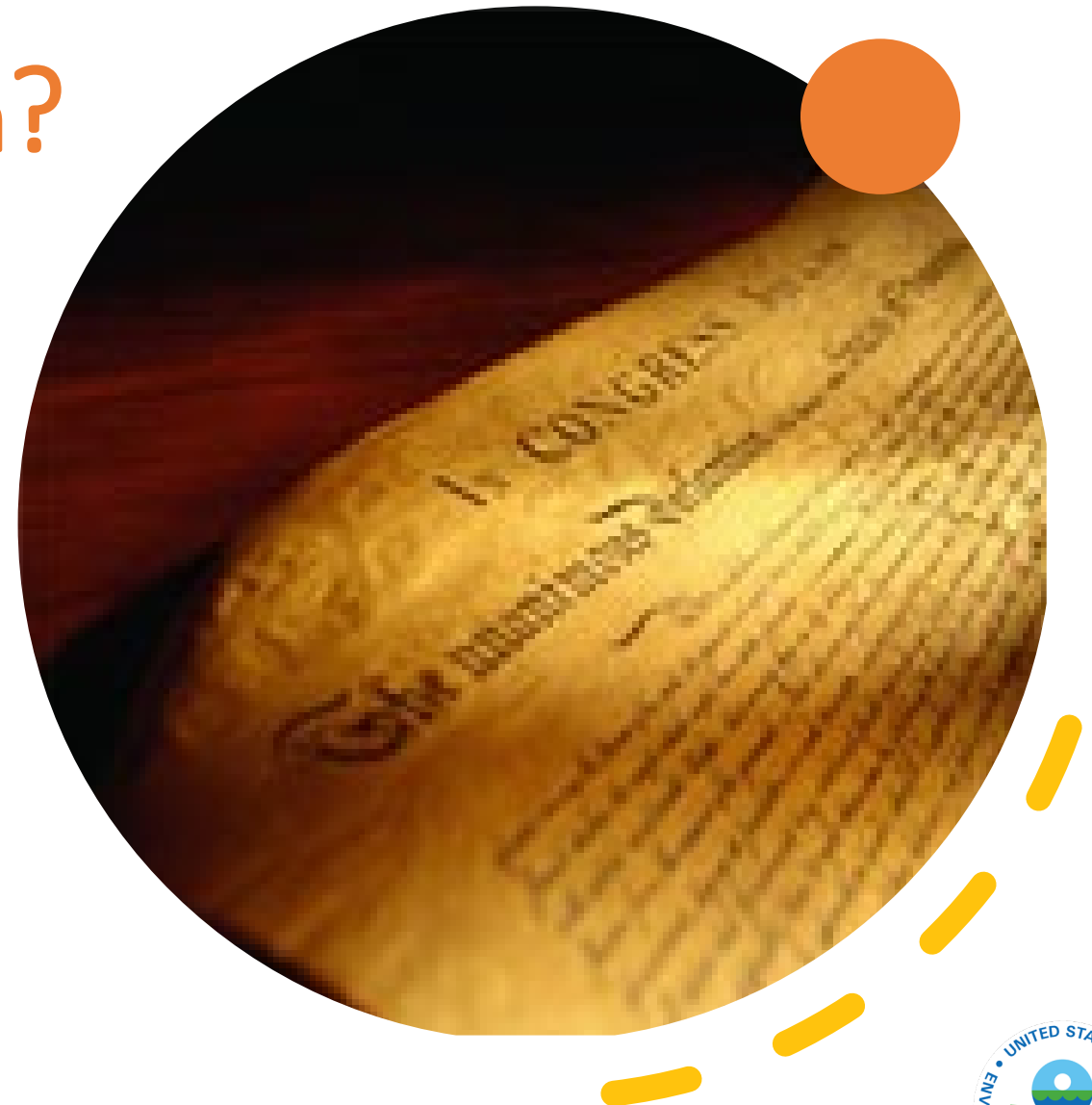
► Continued:

4. Outline of release notification procedures
5. Description of methods for determining when releases have occurred and evaluating what the affected areas or populations are
6. Description of community and industry resources available for response
7. Outline of evacuation plans
8. Description of training program for emergency response and medical personnel
9. Description of methods and schedules for exercising the emergency plan



What is the Risk Management Program?

- Congress passed the Clean Air Act Amendments of 1990
- Required EPA and OSHA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances
- Risk Management Plan Rule (RMP Rule) was written to implement 112(r) of the Act



Basic Goals of the RMP

Reduce the likelihood of accidental chemical releases by:

1. Using Hazard Assessments
2. Prevention Programs
3. Emergency Response Planning



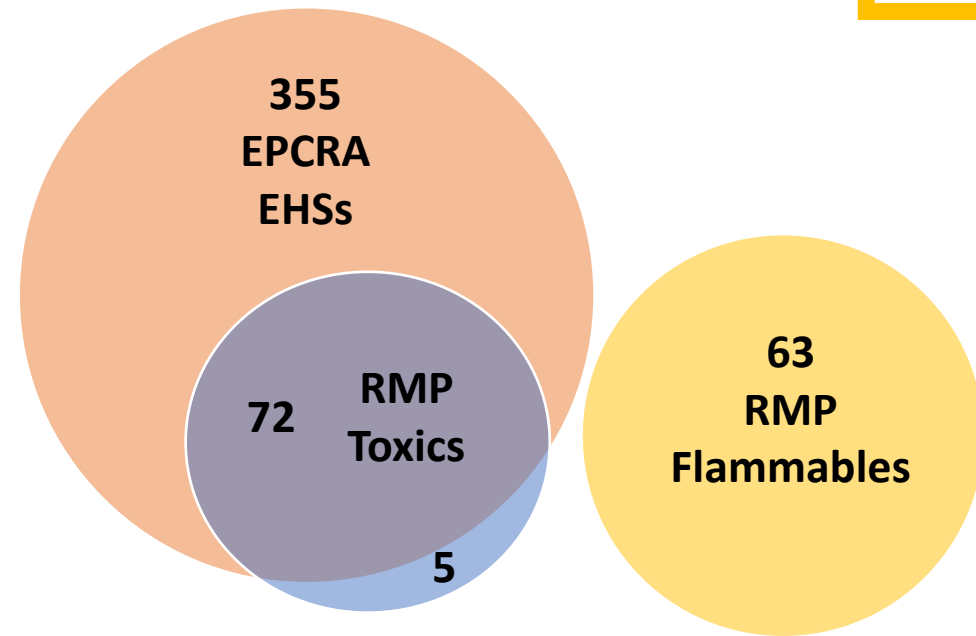
What facilities are included in RMP?

- Stationary sources with more than the **threshold quantity** of a **regulated substance** in a **process**.
- *Regulated substances* and *threshold quantities* are listed at 40 CFR 68.130.
- *Process* means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances, or combination of these activities.



RMP List of Substances vs. EPCRA Extremely Hazardous Substances

- RMP currently regulates 77 toxic and 63 flammable substances. 72 of the 77 toxic chemicals are EPCRA EHS.
 - RMP places the responsibility of emergency response plans on the owner and operator of each process.
- EPCRA currently regulates 355 Extremely Hazardous Substances (EHSs)
 - EPCRA 303 places the responsibility of developing and maintaining comprehensive emergency response plans for EPCRA EHSs on the LEPCs [[42 U.S.C. 11003](#)]
- 72 Chemicals are both EPCRA EHSs and RMP Listed Substance



EPCRA EHSs 355 chemicals				RMP Toxics 77 chemicals (72 are EPCRA EHSs)		
CAS No.	Chemical name	Reportable quantity *(pounds)	Threshold planning quantity (pounds)	CAS No.	Chemical name	Threshold quantity (lbs)
75-86-5	Acetone Cyanohydrin	10	1,000			
1752-30-3	Acetone Thiosemicarbazide	1,000	1,000/10,000			
107-02-8	Acrolein	1	500	107-02-8	Acrolein [2-Propenal]	5,000
79-06-1	Acrylamide	5,000	1,000/10,000			
107-13-1	Acrylonitrile	100	10,000	107-13-1	Acrylonitrile [2-Propenenitrile]	20,000
814-68-6	Acrylyl Chloride	100	100	814-68-6	Acrylyl chloride [2-Propenoyl chloride]	5,000
111-69-3	Adiponitrile	1,000	1,000			
116-06-3	Aldicarb	1	100/10,000			
309-00-2	Aldrin	1	500/10,000			
107-18-6	Allyl Alcohol	100	1,000	107-18-6	Allyl alcohol [2-Propen-1-ol]	15,000
107-11-9	Allylamine	500	500	107-11-9	Allylamine [2-Propen-1-amine]	10,000
20859-73-8	Aluminum Phosphide	100	500			
54-62-6	Aminopterin	500	500/10,000			
78-53-5	Amiton	500	500			
3734-97-2	Amiton Oxalate	100	100/10,000			
7664-41-7	Ammonia	100	500	7664-41-7	Ammonia (anhydrous)	10,000
				7664-41-7	Ammonia (conc 20% or greater)	20,000
300-62-9	Amphetamine	1,000	1,000			



RMP Program Levels

Program 1

~750 Facilities

Processes that would not affect the public in the event of a worst-case release, and there have no accidents with offsite consequences in the last five years.

- Small quantities of flammables, less volatile toxics
- Limited accident prevention including hazard assessment and emergency response requirements

Program 2

~4,100 Facilities

Processes not eligible for Program 1, and not subject to Program 3

- Mainly water & wastewater treatment in Federal OSHA states
- Additional hazard assessment, accident prevention, management, and emergency response requirements

Program 3

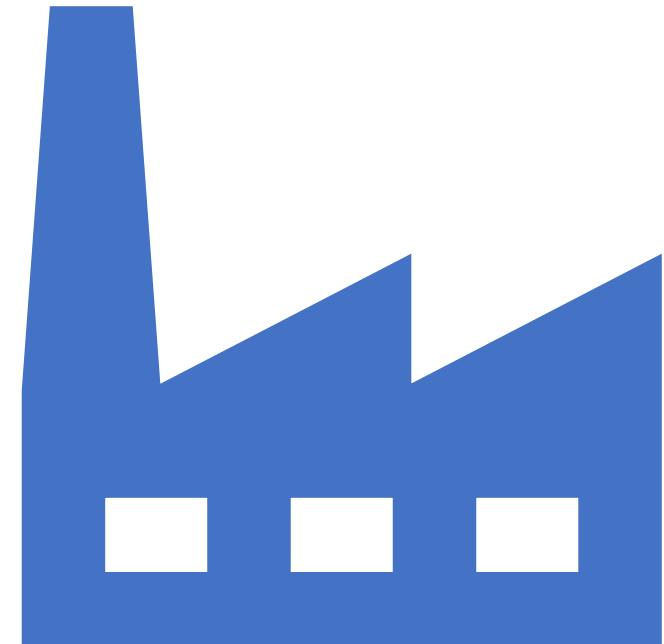
~6,900 Facilities

Processes subject to OSHA's PSM or in one of 10 specified NAICS codes

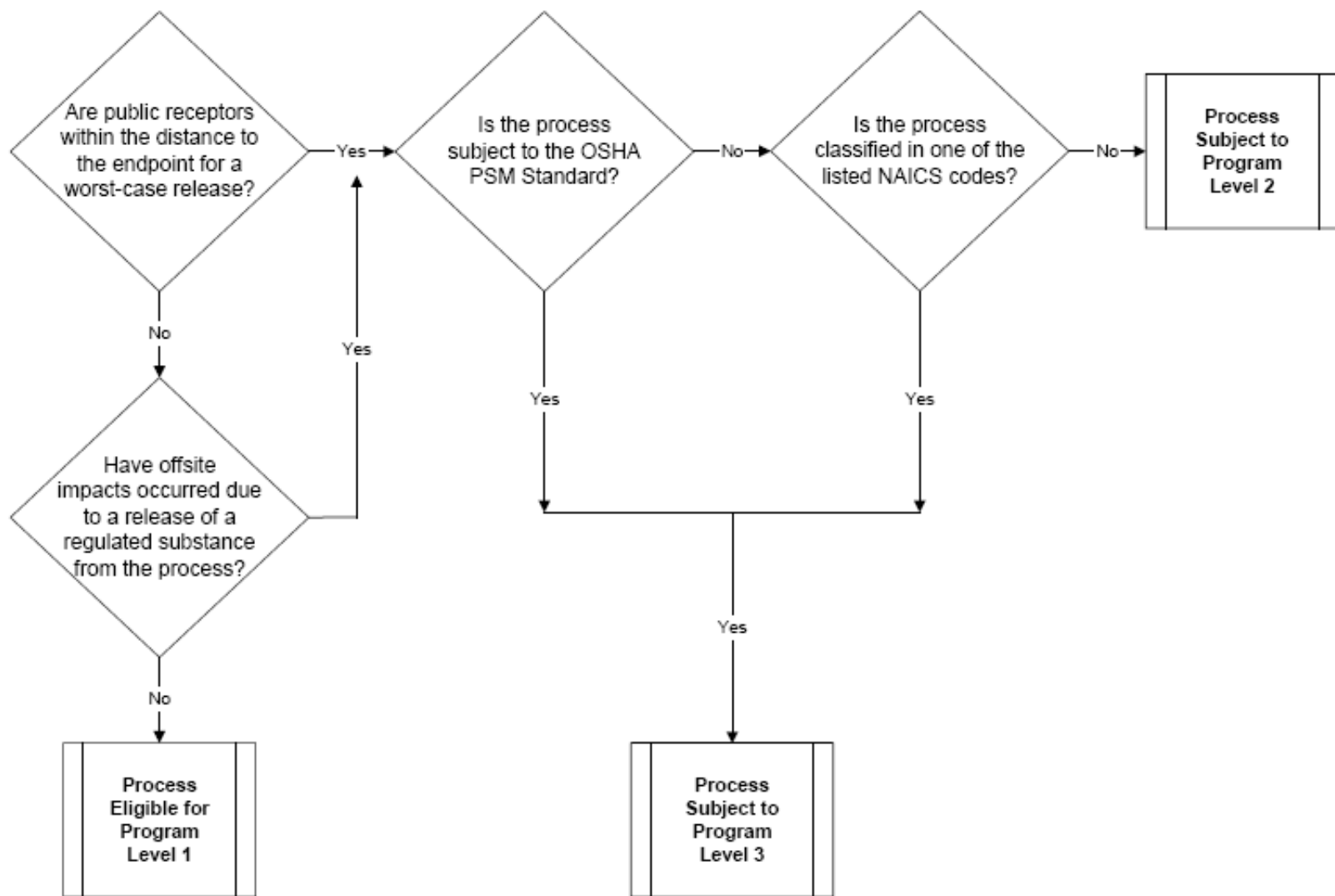
- Larger facilities or those with complex processes
- Examples include refining, chemical manufacturing, energy production, water treatment
- Must use OSHA's PSM as accident prevention program and include additional hazard assessment, management, and emergency response requirements

Program Level 3 NAICS Codes

- 32211 Pulp mills
- 32411 Petroleum refineries
- 32511 Petrochemical manufacturing
- 325181 Alkali and chlorine manufacturing
- 325188 All other basic inorganic chemical manufacturing
- 325192 Cyclic crude and intermediate manufacturing
- 325199 All other basic organic chemical manufacturing
- 325211 Plastics material and resin manufacturing
- 325311 Nitrogenous fertilizer manufacturing
- 32532 Pesticide & other agricultural chemical manufacturing



EVALUATE PROGRAM LEVELS FOR COVERED PROCESSES



Program Level 1 Requirements

- Analyze the worst-case release scenario for the covered processes.
- Complete the five-year accident history for the covered processes
- Ensure that response actions have been coordinated with local emergency planning and response agencies.



Program Level 2 & 3 Risk Management Plan Requirements

Companies using listed flammable and toxic substances are required to develop a Risk Management Plan and Program which includes:

- Hazard Assessment: Details potential effects of accidental release, accident history for past five years, evaluation of worst case and alternative case scenarios [Part 68, Subpart B]
- Prevention Program: Includes safety precautions, SOP's, PHAs, maintenance, mechanical integrity, compliance audits and employee training [Program 2: Part 68, Subpart C; Program 3: Part 68, Subpart D]
- Emergency Response: Spells out emergency health care, employee training measures and procedures for informing emergency responders and public [Part 68, Subpart E]



RMP Facility Emergency Response Plans

	Responding Facility	Non-Responding Facility
§ 68.93	Emergency Response Coordination Activities	Emergency Response Coordination Activities
§ 68.95	Emergency Response Program development and implementation	N/A
§ 68.90(b)	N/A	Ensure that toxic substances are included in the EPCRA 303 Comprehensive Emergency Response Plan
§ 68.90(b)	N/A	Ensure that for flammable substances, response actions are coordinated with the local fire department
§ 68.96	Emergency Response Exercises	N/A
§ 68.96(a)	Notification Exercises	Notification Exercises
§ 68.96(b)	Emergency Response Exercises (Field and Tabletop)	N/A



Facility Requirements Under 40 CFR 68.93

RMP Emergency Response Coordination

- ▶ Coordinate response needs with local emergency planning and response organizations to determine how the source is addressed in the community emergency response plan and to ensure that local response organizations are aware of the regulated substances at the stationary source, their quantities, the risks presented by covered processes, and the resources and capabilities at the stationary source to respond to an accidental release of a regulated substance.
- ▶ Coordinate annually, or more frequently, to address changes.
- ▶ Shall document coordination with local authorities, including: The names of individuals involved and their contact information (phone number, email address, and organizational affiliations); dates of coordination activities; and nature of coordination activities.



Facility Requirements Under 40 CFR 68.95

Emergency response coordination activities

- ▶ Shall develop and implement an emergency response program protecting public health and the environment. Program shall include:
 - ▶ An emergency response plan, with procedures for informing the public, and the appropriate Federal, state, and local emergency response agencies; Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposure; Procedures and measures for emergency response.
 - ▶ Procedures for emergency response equipment
 - ▶ Training for all employees
 - ▶ Procedures to review and update.



Facility Requirements Under 40 CFR 68.96

RMP Emergency Response Exercises

- ▶ Notification exercises. At least annually, conduct an exercise of the stationary source's emergency response notification mechanisms to test the notification procedures to notify emergency responders of a need for response, or inform the public and appropriate federal, state, and local emergency response agencies about accidental releases. **[Responding and Non-responding]**
- ▶ Field and Table exercises. Conduct field and tabletop exercises in coordination with the local emergency response officials. **[Responding Facilities Only]**
 - ▶ Field exercises by March 15, 2027, and within 10 years of the date of an emergency response field exercise.
 - ▶ Tabletop exercises before December 21, 2026, and at a minimum of every 3 years thereafter.



What RMP facilities are in your community?

- ▶ RMP Public Data Tool
 - ▶ <https://cdxapps.epa.gov/olem-rmp-pds/>
- ▶ To access the restricted information (Offsite Consequence Analysis)
 - ▶ State or Local official may send a written request for information on agency letterhead to their region RMP coordinator or inspector.



RMP and EPCRA Contacts

EPCRA, RMP, & Oil Information Center: (800) 424-9346

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Resources

- ▶ www.epa.gov/rmp
 - ▶ <https://www.epa.gov/rmp/how-access-risk-management-plan-information>
- ▶ www.epa.gov/epcra/emergency-planning
 - ▶ LEPC Handbook – Chapter 3 – Comprehensive Emergency Response Plans
<https://www.epa.gov/system/files/documents/2022-01/chapter-3-epcra-section-303.pdf>

