



EPA Region 7 Enforcement & Compliance Assurance

Air & Waste Management Association – Midwest Chapter Meeting

March 29, 2021



Risk Management Program Rule Changes



What is the Risk Management Program?

The Risk Management Program regulations (40 CFR part 68) aim to prevent or minimize the consequences of accidental chemical releases.

- Require facilities that use, manufacture and store particular hazardous chemicals to implement management program elements that integrate technologies, procedures and management practices.
- Require covered stationary sources to submit a document summarizing the source's risk management program, called a risk management plan (or RMP)

How do I know if my facility is subject?

- If facility (referred to as “stationary source”) holds more than a threshold quantity of a regulated substance in a process.
- Threshold quantity for anhydrous ammonia is 10,000 pounds

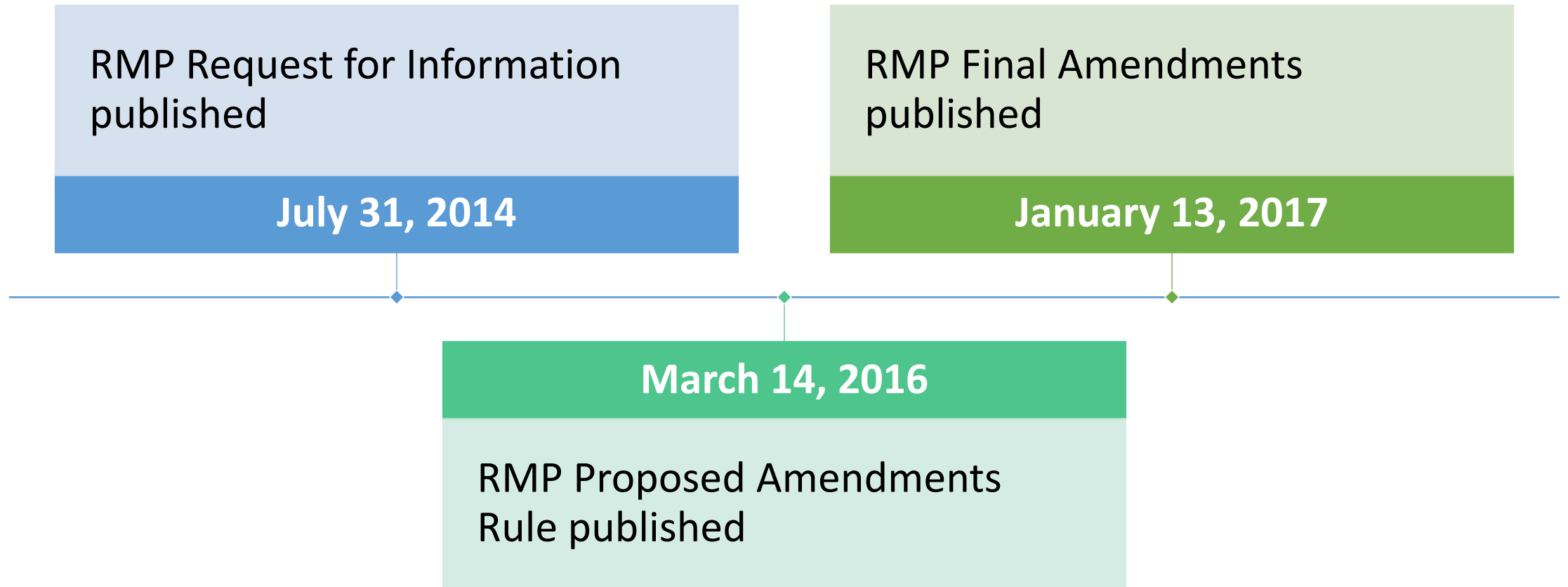


Why is the RMP Rule being changed?

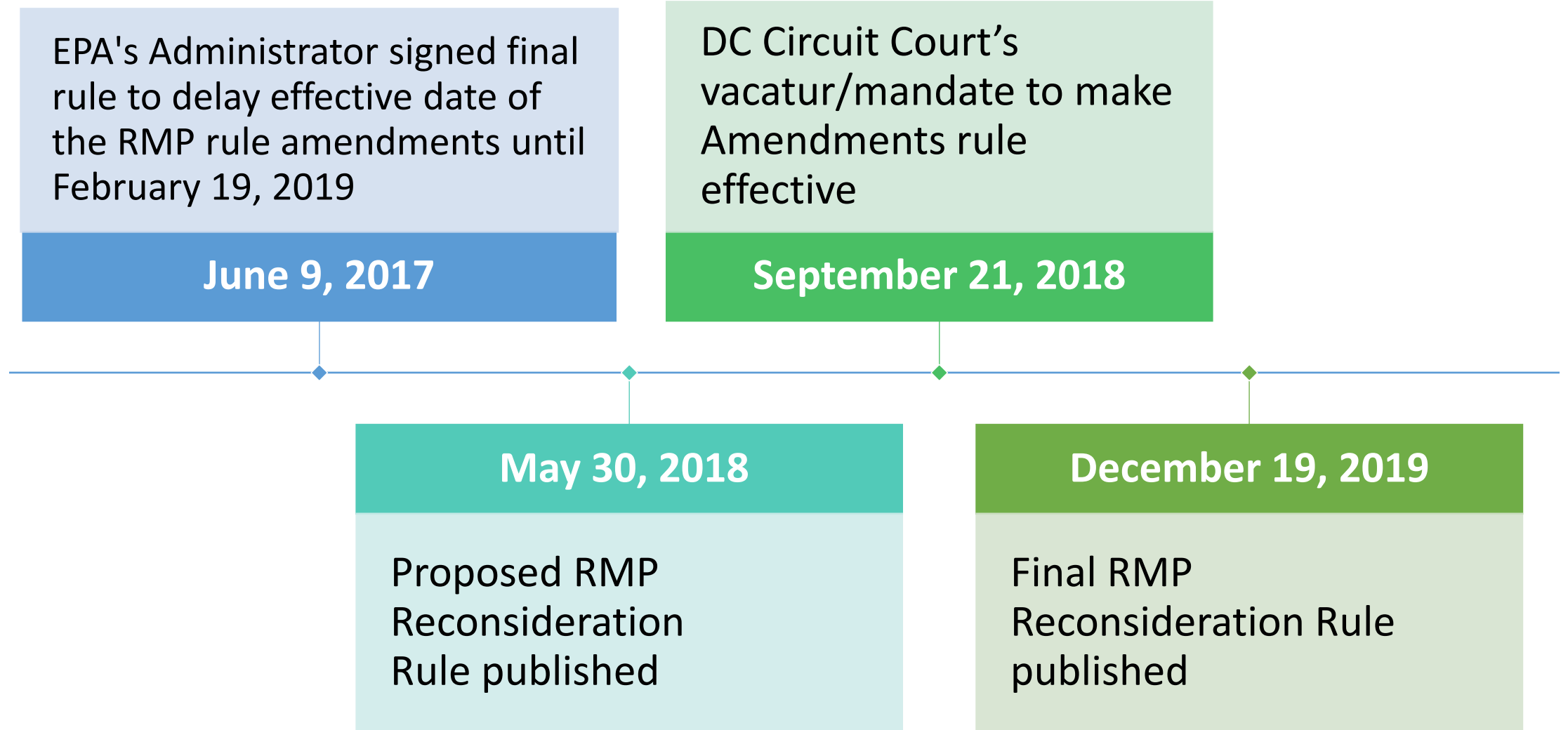


- 1990 – Clean Air Act Amendments called for creation of Risk Management Program
- June 21, 1999 – Risk Management Program Rule became effective
- August 1, 2013 – Executive Order “Improving Chemical Facility Safety and Security” issued
 - Investigations of catastrophic chemical facility incidents showed a need for greater coordination between facilities, first responders, and emergency planners

RMP Amendments Rule Timeline



RMP Reconsideration Final Rule Timeline



Program 2 Prevention Program Changes



Incident Investigation

- Added (c) – An incident investigation team shall be established and consist of at least one person knowledgeable in the process involved and any other persons with appropriate knowledge and experience to thoroughly investigate and analyze the incident
- Changed “summary” to “report” throughout



Program 3 Prevention Program Changes

Incident Investigation

- Deleted from (a) – “of a regulated substance”
- Changed “summary” to “report”

Emergency Response Changes

Applicability (68.90)

- Added to (a) *“Responding stationary source.”*
- Added to (b) *“Non-responding stationary source.”*
 - Added references to emergency coordination requirements and emergency response exercises

Emergency Response Program (68.95)

- Added references to emergency coordination requirements and emergency response exercises



Enhanced Emergency Coordination

NEW Section – 68.93 Emergency Response Coordination Activities

- Coordinate annually with local response organizations, and more often as necessary
- Document coordination
- Ensure emergency response planners can obtain information “necessary for” planning and implementing local emergency response plans
 - Stationary source’s emergency response plan or emergency action plan
 - Emergency contact information
 - Any other information necessary for plan development



Requires Emergency Exercises



NEW 68.96 – Emergency Response Exercises

- Annual notification drills
- Facilities to perform tabletop exercises every 3 years
- Facilities to conduct field exercises, at frequency to be determined in consultation with local planners/responders
- Response to a major release can take the place of a drill, as long as after-action report is completed

Added Required Public Information Meeting

Requires meeting within 90 days of an RMP-
reportable accident with offsite impacts



RMP*eSubmit Section Selection



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Logged in as, GEFION10

EPA Facility ID:
100000215689

Loki Chemicals

Transaction Type: First
Time Submission

Introduction to RMP*eSubmit

Section 1. Registration

Help

Enter Registration Information

Add Process

Help

Help

Add Scenario



- About CDX
- MyCDX
- Inbox
- Change Password
- Frequently Asked Questions
- Help & Support
- CDX Home
- Terms & Conditions
- Logout

Risk Management Plan Changes

- Added data elements to reflect public meetings following RMP-reportable accidents
- Added data elements to reflect changes in Emergency Response Program, additions of coordination and exercises

Other Minor Changes

- Updated some definitions in 68.3
- Added compliance dates for new requirements
- Renumbering/lettering where items were added/deleted
- Updated historic references to Material Safety Data Sheets (MSDS) to Safety Data Sheets (SDS)
- Added references throughout to new 68.93 – Emergency Response Coordination and 68.96 – Emergency Response Exercises

RMP Reconsideration Final Rule Compliance Dates

WHAT	DUE DATE
New emergency coordination requirements	Already in effect as of September 21, 2018
Minor accident prevention provision changes	Already in effect as of September 21, 2018
Develop Emergency Response Program	Within three years of owner or operator determining that facility is subject to the provisions
Public meetings	Within 90 days of any qualifying accident that occurs after March 15, 2021
Develop exercise plans and schedules	December 19, 2023
Conduct first field exercise	According to the exercise schedule established by the owner or operator in coordination with local response agencies
Conduct first notification drill	December 19, 2024
Submit RMP with new information elements	Any RMP submission made after December 19, 2024
Conduct first tabletop exercise	December 21, 2026

**EPA Region 7
Chemical
Accident
Prevention
State
Coordinators**

State	Coordinator	Email	Phone
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- Coordinators provide compliance assistance for industry and assist Local Emergency Planning Committees (LEPCs) and State Emergency Response Commission (SERC) on Clean Air Act 112(r) and Emergency Planning and Community Right-to-Know Act (EPCRA).
- For additional EPA chemical accident prevention contacts, visit www.epa.gov/rmp/epa-regional-rmp-contacts

Resources

- EPA Risk Management Program website: www.epa.gov/rmp
- EPA EPCRA website: www.epa.gov/epcra
- EPA Emergency Response website: www.epa.gov/emergency-response

Your Presenter:

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