United States Environmental Protection Agency

Office of Solid Waste
an Emergency Response
(5104)

EPA 550-F-04-001
February 2004
www.epa.gov/emergencies

CEPP

A Checklist for Resubmitting Your Risk Management Plan (RMP) For Chemical Accident Prevention

In 1996, EPA established a list of extremely hazardous substances and issued regulations for the prevention and mitigation of accidental releases of those substances under section 112(r) of the Clean Air Act. Facilities covered by the regulations are required to implement a risk management program and submit a description of the program (called a risk management plan, or RMP) to EPA. RMPs must be updated at least once every five years, and most covered facilities must update their RMPs in 2004. This fact sheet provides a checklist for preparing a 5-year update. It is important that owners, operators, plant managers, and others responsible for RMP implementation review this information and take appropriate steps to update their RMPs.

FACTSHEET

The 5-Year Update Requirement

If you are the owner or operator of an RMP-covered facility, EPA's Chemical Accident Prevention regulations at 40 CFR Part 68 require that you fully update and resubmit your RMP at least once every 5 years. If certain process changes described in 40 CFR section 68.190 occur at your facility prior to the 5-year anniversary of your RMP, you must update and resubmit your RMP before those changes are made. The 5-year anniversary date is reset whenever you fully update and resubmit your RMP.

The majority of facilities submitted their initial RMPs by the original June 21, 1999 deadline and have not resubmitted their RMPs since. This means that most RMPs must be fully updated and resubmitted to EPA by June 21, 2004.

This document covers information important to the 2004 resubmissions as well as provides a checklist to consider in updating and resubmitting your RMP.

How to Determine Your 5-Year Anniversary Date

If you submitted your initial RMP *before* the original June 21, 1999-deadline, you are required to submit your 5-year update *by* June 21, 2004, not before. If you filed early, you may have received correspondence indicating an earlier due date. However, EPA's interpretation of the regulations is that RMPs initially due on June 21, 1999 must be updated by June 21, 2004, not before.

If you submitted your initial RMP *after* June 21, 1999, or have resubmitted since your initial submission, your 5-year anniversary date is calculated as 5 years from the postmark date of your latest submission.

Important Information for 2004

In July 2003, EPA proposed to amend RMP reporting requirements in several ways, including the addition of several new data elements. The comment period for this proposal closed on September 15, and EPA plans to issue the final rule at the earliest possible date. The new version of RMP*Submit (EPA's software for RMP submission) will reflect any new reporting requirements resulting from this final rule. Consequently, the new version of RMP*Submit cannot be released until the final rule is issued. EPA currently estimates that the new version of RMP*Submit (known as RMP*Submit 2004) will be released in March 2004. The final rule, an accompanying fact sheet, and information regarding the availability of RMP*Submit 2004 will be

posted, as they become available, on EPA's Office of Emergency Prevention, Preparedness and Response website at http://www.epa.gov/emergencies. Interested parties may also receive email information updates by subscribing to OEPPR's listserv. (See page 6 of this document for information on how to subscribe to the listserv.)

If you submitted your initial RMP by the June 21, 1999 deadline and have not resubmitted an RMP since, you will be required to include in your resubmission any new data elements added by the final rule. All others will be required to submit a correction of their RMPs to include the new data elements, as applicable. Information about correcting your RMP is not covered in this document but will be available in the RMP*Submit 2004 Users Manual.

A Checklist for Your 5-Year Update

For your 5-year update and resubmission, you are required to review all nine sections of your RMP, update as appropriate, and certify that the entire updated RMP is true, accurate, and complete. The following is a checklist of some key elements in your RMP that you should review for your resubmission.

Section 1: Registration Information

Review your registration information and make any necessary corrections to ensure that it is up-to-date.

Remember that your "facility location address" is the physical location where regulated substances are present. The "facility location address" cannot be a post office or rural box number. Also, remember that your "mailing address" is the address that EPA will use for sending all non-electronic correspondence.

- **Verify your latitude and longitude coordinates**.

  Latitude and longitude coordinates were reported incorrectly in many RMPs. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (USGS) topographic maps (http://mac.usgs.gov/maplists/index.html), and web-based siting tools. EPA maintains a web-based siting tool as part of the Toxic Release Inventory (TRI) program at http://www.epa.gov/tri/report/siting_tool/index.htm. The tool combines interactive maps and aerial photography to help users get latitude and longitude coordinates (in degrees, minutes, and seconds) of their sites. Several commercial websites also have siting tools, such as, Geocode.com (http://www.geocode.com/) and Topozone.com (http://www.topozone.com). The RMP*Submit manual describes the use of these tools in more detail.

  Additionally, LandView® (version 5 or 6) can be used to determine latitude and longitude. LandView® has the added benefit that it also contains the Census 2000 data. LandView® is available for purchase from the US Census Bureau at http://landview.census.gov.

- **Check whether the North American Industry Classification System (NAICS) code for your covered process(es) has changed**.

  Because NAICS was revised in 2002, you should also check whether the NAICS code you reported for your covered process(es) is still valid. The NAICS codes for construction and wholesale trade changed substantially. A number of other classification codes have also been revised. The Census Bureau maintains a website with a list of the 2002 NAICS Codes (http://www.census.gov/epcd/naics02/naicod02.htm) and a list of the correspondence between the NAICS 1997and NAICS 2002 codes (http://www.census.gov/epcd/naics02).

Sections 2 through 5: Worst Case and Alternate Release Scenarios

- **Review and update your offsite consequence analyses (OCA) at least once every 5 years.**

  Under the regulations, you are required to review and update your offsite consequence analyses (OCA) at least once every five years (40 CFR 68.36). You should review your documentation to determine whether the parameters and assumptions used in the analyses are still valid and make changes as appropriate. The results of this review should be documented and maintained as part of your RMP records. Any changes to the scenarios resulting from this review, including changes in the distance-to-endpoint(s), should be reported in your resubmission.

- **In your OCA, use current data to estimate population.**

  You should review the data used to estimate

population and environmental receptors and update that information as appropriate. You may have used Census data to estimate the residential population within the distance to endpoint. If so, you should update this estimate based on the latest Census data.

The 2000 Census data can be found in publications of the US Census Bureau. These publications, including the *County and City Data Book: 2000* (www.census.gov/prod/www/ccdb.html), are available on the Census Bureau website (www.census.gov) and in public libraries. Additionally, two Census products are available that facilitate calculation of the population within the relevant geographical areas for OCA analysis (i.e., within the circle defined by the distance-to-endpoint for your worst-case and alternative release scenarios). The first is LandView® (version 5 or 6). Information about obtaining LandView® can be found on the Census website at http://landview.census.gov. The other product is the Census 2000 Summary File 1. Information about the Census 2000 Summary File can be found at: www.census.gov/prod/2003pubs/prodpr02-2.pdf.

Section 6: Accident History

‘ **Update your 5-year accident history**.

You must update your accident history to include any accidental releases that occurred over the past five years from a covered process and resulted in deaths, injuries, or significant property damage on site, or known off-site deaths, injuries, evacuations, sheltering in place, property damage, or environmental damage. You may remove from your accident history any accident that occurred more than 5 years ago.

Section 7 and 8: Prevention Program

‘ **For Program 2 and Program 3, report the most recent dates of your prevention program activities in your resubmission.**

Section 9: Emergency Response

Report the dates of your most recent review of your emergency response program and most recent training in your resubmission.

Recurring Requirements

In addition to requirements for updating your RMP, the regulations require several aspects of your prevention and emergency response programs to be periodically implemented or reviewed. You should ensure that you are up-to-date with implementation of these recurring requirements. As indicated previously, you should reflect the most recent information for your prevention and emergency response programs in your RMP update. For example, you should report the date of your most recent hazard review/process hazard analysis update, and the completion date for any changes resulting from the hazard review/process hazard analysis update, in your resubmission.

The following highlights some of these recurring requirements:

Prevention Program

< **For Program 2, review and update your hazard review at least once every 5 years.**

If your process is designated as Program 2, you are required to review and update your hazard review at least once every five years (40 CFR 68.50). The review and any updates of the hazard review, as well as resolution of any problems identified, must be documented.

< **For Program 3, update and revalidate your process hazard analysis (PHA) at least once every 5 years.**

If your process is designated as Program 3, you are required to update and revalidate your process hazard analysis (PHA) at least once every five years (40 CFR 68.67) to assure that your PHA is consistent with the current process. This update and revalidation must be conducted by a team.

To update and revalidate your PHA, you should evaluate your current process hazard analysis for accuracy and completeness. This evaluation should include checking that all modifications to your process are reflected in the PHA ; evaluating the process safety information to ensure that it is complete, current, and accurate; verifying that operating procedures are adequate, up-to-date, and implemented; documenting that any PHA recommendations have been incorporated into equipment design, process conditions, mechanical integrity, operating procedures, training, and emergency response; verifying that recommendations have been

implemented; and reviewing incident investigation reports. Updated and revalidated PHAs completed to comply with OSHA's Process Safety Management Standard (29 CFR 1910.119(e)) are acceptable to meet this requirement, provided that they also consider offsite consequences.

The revalidation and any updates of the process hazard analyses, as well as resolution of any recommendations, must be documented. This documentation must be retained as part of your RMP records for the life of the process.

< **For Program 2 and Program 3 processes, verify that you have carried out any recurring prevention program implementation requirements**

The regulations require several aspects of your prevention program to be periodically implemented or reviewed. These are some reminders about your prevention program activities:

< Training in operating procedures (40 CFR 68.54 and 68.71): For both Program 2 and 3, you are required to provide refresher training in operating procedures at least every three years, and more often if necessary.

< Compliance audits (40 CFR 68.58 and 68.79): For both Program 2 and 3, you are required to audit your procedures and practices for compliance with the regulations at least every three years to verify their adequacy and implementation.

< Maintenance (40 CFR 68.56 and): For both Program 2 and 3, you are required to inspect and test your process equipment according to the schedule that you have established based on good engineering practices.

< Operating procedures (40 CFR 68.89): For Program 3 only, you are required to certify annually that your operating procedures are current and accurate.

< Management of change (40 CFR 68.75): For Program 3 only, you are required to update your process safety information and your procedures and practices for a covered process in the event of any change to the process chemicals, technology, equipment, or procedures.

Emergency Response Program

< You are required to periodically review and update, as appropriate, your emergency response program and to notify your employees of any changes to your emergency response plan (40 CFR 68.95). You should verify that your facility is currently included in the community emergency response plan and you should also review and update your procedures for notifying emergency responders in an emergency.

EPA Resources on the Web

Download General RMP Guidance
http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/EPAguidance.htm#General

Download Industry-specific RMP Guidance
http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/EPAguidance.htm

Download Offsite Consequence Analysis (OCA) Guidance
http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/EPAguidance.htm#General

Download RMP*Submit
http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/ap-rmsb.htm

Frequently Asked Questions (FAQs) about RMP
http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/caa-faqs.htm

RMP Implementing Agency Contacts
http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/112r-sts.htm

TRI Facility Siting Tool
http://www.epa.gov/tri/report/siting_tool/index.htm

Non-EPA Resources on the Web

2002 NAICS Codes (Census Bureau)
http://www.census.gov/epcd/naics02/naicod02.htm

Census 2000 Summary File
www.census.gov/prod/2003pubs/prodpr02-2.pdf

County and City Data Book:2000 (Census Bureau)
http://www.census.gov/prod/www/ccdb.html

Geocode.com
http://www.geocode.com

Process Safety Management (OSHA)
http://www.osha-slc.gov/SLTC/processsafetymanagement/

Risk Management Program 40 CFR Part 68 (Government Printing Office)
http://www.access.gpo.gov/nara/cfr/cfrhtml_00/Title_40/40cfr68_00.html

Topozone.com
http://www.topozone.com

LandView®
http://landview.census.gov

Where to go for help

RMP Questions:

Under Clean Air Act section 112, states can choose to take delegation of the RMP program. If they do, they become the implementing agency for that state. In delegated states, you may contact your state implementing agency for assistance. In all other states, your EPA regional office is the implementing agency for your state and you may contact them for assistance. We maintain current phone numbers for state and EPA regional contacts on our website at: www.epa.gov/emergencies.

RMP Regulatory Questions:

If you have a question about an RMP reporting requirement, you can also call the toll free RCRA, Superfund & EPCRA Call Center at:
Phone: (**800) 424-9346** or **(703) 412-9810** [DC area callers please use this number]
TDD: **(800) 553-7672** or **(703) 412-3323** [DC area callers please use this number]
When: Monday - Friday, 9:00 am - 5:00 pm Eastern Time
Closed Federal Holidays

RMP*Submit Software Support:

For software questions or installation problems, or mailing and receipt issues, contact the RMP Reporting Center at:
Phone: **(301) 429-5018**
When: Monday - Friday, 8:00 am - 4:30pm Eastern Time
Closed Federal Holidays
Email: userrmp.usersupport@epcra.org

How to get RMP program updates from EPA by e-mail

You can receive periodic updates about the RMP program and other aspects of prevention, preparedness and emergency response through our listserv.

To subscribe, send an email to: lyris@lists.epa.gov

Include the words:

subscribe EPA-CEPP your_name

in the body of the message. Replace “your_name” with your first and last names.