Region 8
Emergency Preparedness Newsletter

Volume VII No. 3 July 2017 Quarterly Newsletter

Welcome to the EPA Region 8 Preparedness Newsletter.
Feel free to page through the entire newsletter or click on the links to the stories you want to read first.

TERC/LEPC Best Practices

Ft Belknap
Gros Ventre and
Assiniboine Tribes

LEPC Self-Evaluations

An easy method to assess your LEPC strengths

EPCRA 311 and 312 Answers

Additions to EPCRA 'Frequently Asked Questions'

CAMEO Chemicals App

Free software from EPA and NOAA now available as an app

PSM Guidance by OSHA

Three new guidance documents have been provided

Lautenberg Chemical Safety Act

EPA announces meeting its first-year statutory responsibilities under the law

Training, RRT, and EPA Updates

Autumn LEPC Conferences

Both Utah and Colorado will hold conferences this fall

Chemical Industry Workshops

Colorado holds 5 sessions around the state

Region 8 EPA

Contacts and Information

FT BELKNAP TERC

Fort Belknap Indian Reservation is homeland to the Gros Ventre (Aaniiih) and the Assiniboine (Nakoda) Tribes. Located 40 miles south of the Canadian border and 20 miles north of the Missouri River, it is the fourth largest Indian reservation in Montana.

Fort Belknap encompasses an area of over 675,000 acres, which extends approximately 28 miles east and west and 35 miles north and south. The land, primarily rolling plains, supports an agricultural industry including small cattle ranches, alfalfa hay for feed and larger dry land farms. The Little Rocky Mountains, located at the southern end of the reservation, provide scenic trails for hiking enthusiasts. Fort Belknap tribal membership hovers at around 7,000 enrolled members.

The Fort Belknap Tribal Emergency Response Commission (TERC) holds regular monthly meetings. Buddy Horn, as the TERC chairman, runs the meetings each third Thursday at the Indian Health Services tribal conference room. During their June meeting, FEMA personnel attended and helped perform a "capabilities assessment" to identify the tribe's disaster response capabilities. This initiated a lively discussion about priorities for the community, defining a disaster, and what the TERC and the community can do in an emergency.

The TERC faces many environmental challenges — the size of the reservation, its location at the northern border of Montana, and identifying enough volunteers during disasters. Even the Missouri River requires attention (restoration, floodplain management, aquatic protection). During early July, the reservation (and much of Montana) suffered a serious and sudden drought requiring land and crop management practices and skills.

Pictured are some of the members who attended a recent TERC meeting. From left to right: Buddy Horn, Dennis Longkinfe, Avis Spencer, Hawken Hawkinson, Kermit Snow and Roberta Shupe.

Return to Top

LEPC Self-Evaluations

Running a Local Emergency Planning Committee (LEPC) and following the regulations of the Emergency Planning and Community Right-to-Know Act (EPCRA) law can be challenging. Most members of an LEPC are not LEPC employees and therefore have other full-time jobs. Membership turnover creates another challenge for LEPCs. When a member leaves the LEPC, knowledge about community risks, EPCRA regulations, and the LEPC leaves with them.

The purpose of EPCRA and LEPCs is to know what chemical risks are in the community and to prepare an emergency plan for a possible hazardous chemical release or spills. While there are several resources available to help LEPCs accomplish this, one method is to perform a 'self-evaluation' which allows the LEPC to determine its strengths as well as identify the areas in need of bolstering. The self-assessment also provides direction to an LEPC looking to set priorities. In many cases, at the very least, the process of evaluation supplies an agenda for upcoming LEPC meetings.

LEPC self-evaluation examples found on the internet emphasize that they are for the sole purpose of conducting a self-assessment; the self-evaluations are for internal LEPC use only. In addition, the checklists in the self-evaluation are very comprehensive; an LEPC is not expected to provide or perform all of them. These evaluations are simply designed to help LEPCs as they work to protect the community from chemical hazards. They are not what is required of an LEPC to be effective—they are simply a tool to aid the LEPC.

	LEPC STRUCTURE & ORGANIZATION	YES	NO	N/A
1	Achieved genuinely broad-based and balanced membership?			
2	Adopted by-laws?			
3	Hold regular, well-attended meetings (at least quarterly)?			
4	Ensured LEPC meetings are accessible and well-publicized (time, place, publicity)?			
5	Provide LEPC members advance agendas and written minutes?			
6	Submits annual membership list to SERC?			
7	Organized active subcommittees and established clear membership roles if necessary?			
8	Produced an annual report (covering trends in accidents, hazards, enforcement, drills, site-specific risk reduction, etc.)?			
9	Focused on all-hazards?			
10	Worked toward reducing vulnerability zones and accident potentials?			
11	Maintained own identity independent from the host agency?			
12	Improved emergency response and mitigation?			
13	Set progress objectives (funding, participation, communication, etc.) and annually evaluate progress toward achieving those goals?			
14	Secured adequate funding sources (through agency budgets, grants, donations, etc.)?			
	LEPC RESPONSE PLANNING	YES	NO	N/A
15	Annually review and update as necessary the EOP?			
16	Coordination exists between EHS facilities and fire departments, as well as other response organizations (police, hospitals, etc.)?			

Separated into sections of responsibilities or activities, the evaluation categories typically include Goals, Process and Structure, Hazards Analysis, Response Planning, Training and Exercises, Public Awareness, Facility Compliance, and Accident Prevention.

For best results, all LEPC members should participate in the assessment as a group. The checklist can actually stimulate discussion amongst the members as well as identify new ideas or actions for the LEPC.

According to Debra Gilbert, Department of Emergency Management Richland County, Montana, "One of the benefits from doing the self-evaluation is to help our county identify and evaluate our progress toward achieving the strategic goals of the LEPC. I would recommend LEPCs do the self-eval as a group so everyone has a voice in the discussion because not every view or opinion is the same."

There are several self-evaluations available on the web, usually provided by states, so a little searching will display enough results to select one that fits individual LEPCs.

Return to Top

Recently Published FAQs for EPCRA

Are state and local government facilities subject to EPCRA Sections 311 and 312 in states with OSHA-approved state plans covering those facilities?

The Occupational Safety and Health Act prohibits OSHA from covering state and local government workers, unless they are covered by an OSHA-approved state-OSH plan. In any state/territory that establishes a state-OSH plan that is then approved by OSHA, that plan must cover state and local employees under Section 18(a) of the OSH Act. The state plan must be at least as protective as the federal OSH Act, including the Hazard Communication Standard. Thus, the state and local facilities would be subject to EPCRA 311 and 312 requirements to submit Safety Data Sheets (SDSs) and Hazardous Chemical Inventory Forms (Tier I or Tier II forms) under EPCRA Sections 311 and 312. EPA Website link

In Region 8, Wyoming and Utah have OSHA-approved state-OSH plans. Click here to view all states with OSHA-approved plans.

Is CO2 added to beverages covered under Section 311(e)(1) exemption?

Section 311(e)(1) exempts any food, food additive, drug, or cosmetic regulated by the Food and Drug Administration (FDA). EPA considers a substance to be regulated by the FDA as long as the substance is used in a manner which is consistent with the FDA regulations. The amount of CO2 used by the facility to add to beverages are exempted from reporting under Sections 311 and 312 of EPCRA. However, any amount of CO2 used for other purposes should be counted to determine if reporting thresholds are met. EPA Website Link

Is combustible food dust subject to reporting under Sections 311 and 312?

The definition of hazardous chemical under OSHA HCS includes “combustible dusts”. So, if the facility accumulates 10,000 pounds of dusts at any one time, it is reportable under Sections 311 and 312. Facilities may want to consult FDA regulations to determine if certain food dusts would be covered under their regulations as food or food additive. If FDA regulates such substances as food or food additive, then that amount would not be subject to reporting under EPCRA Sections 311 and 312. Here is the link to OSHA’s website regarding information on combustible dusts: https://www.osha.gov/dsg/combustibledust/index.html.
EPA Website Link

Is FDA regulated flour bleaching exempt?

EPCRA Section 311 (e)(1) exempts any food, food additive, drug, or cosmetic regulated by the Food and Drug Administration (FDA). EPA considers a substance to be regulated by the FDA as long as the substance is used in a manner which is consistent with the FDA regulations. FDA regulations (21 CFR part 137) regulate the bleaching of flour with chlorine. Chlorine, therefore is exempt from reporting under EPCRA Sections 311/312 when its use at a facility is consistent with this FDA regulation (i.e., the bleaching of flour). However, if the facility uses part of the chlorine stored on-site for other purposes, such as waste water treatment or for cleaning process equipment, then that amount of chlorine should be considered for threshold determination.
EPA Website Link.

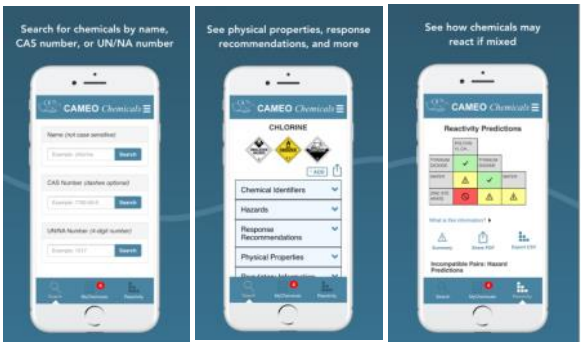
Return to Top

CAMEO CHEMICALS MOBILE APP

CAMEO Chemicals is a tool designed for people who are involved in hazardous material incident response and planning. CAMEO Chemicals contains:

- A library with thousands of datasheets containing response-related information and recommendations for hazardous materials that are commonly transported, used, or stored in the United States.
- A reactivity prediction tool, which you can use to predict potential reactive hazards between chemicals.

CAMEO Chemicals was developed by the National Oceanic and Atmospheric Administration's Office of Response and Restoration in partnership with the Environmental Protection Agency's Office of Emergency Management. The suite of programs was designed to assist emergency planners and responders to anticipate and respond to chemical spills.



NOAA is now providing CAMEO Chemicals as a free mobile app for iPhone and Android. This means that first responders can now use CAMEO Chemicals on a smartphone or tablet with no internet access. The app features an interface that is optimized for viewing on mobile devices, allowing users to easily look up chemical information, predict chemical reactivity, and share CAMEO Chemicals datasheets and reactivity reports with a few quick finger swipes.

With the app, responders can access the features of CAMEO Chemicals 'on the go', including information on chemical physical properties, health hazards, air and water hazards, recommendations for firefighting, first aid, spill response, and regulatory information. The CAMEO Chemicals mobile app features include:

- Database of over 6,000 chemicals
- Searchable by name, CAS number, or United Nations or North American number
- Reactivity prediction and reporting tool
- Quick share feature sends PDFs easily

The app is the fourth format for CAMEO Chemicals, which is also available as a website, mobile website, and desktop program for Windows and Mac.

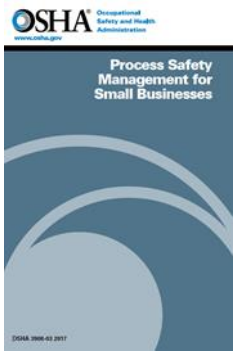
Return to Top

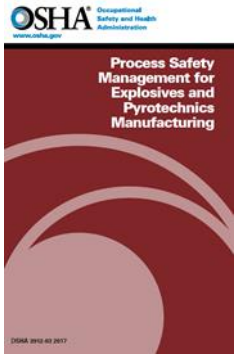
OSHA PSM Guidance

Process Safety Management

OSHA recently issued three Process Safety Management (PSM) guidance documents (1910.119). The new documents cover PSM compliance for Small Businesses, Storage Facilities and Explosives and Pyrotechnics Manufacturing. They can also be found under "P" on the OSHA publications site.

"PSM is critically important to facilities that store highly hazardous chemicals," OSHA stated in the April 3 edition of the agency's QuickTakes newsletter. "Implementing the required safety programs helps prevent fires, explosions, large chemical spills, toxic gas releases, runaway chemical reactions, and other major incidents." EPA's Risk Management Program (RMP) utilizes OSHA's PSM categories in its regulatory framework.





Upcoming Region 8 LEPC Conferences

Colorado LEPC Conference September 6-8, 2017

The Colorado Emergency Planning Committee (CEPC) is hosting a conference for Colorado Local Emergency Planning Committee (LEPC) members, first responders, and local, state, and federal partners who are responsible for hazardous material response planning. An 'LEPC 101', designed for new LEPC members, will focus on the basics of EPCRA and hands-on ideas for creating/maintaining a successful LEPC and be held on Wednesday afternoon. Thursday and Friday will focus on hazmat-specific topics.

The conference will be held at the Beaver Run Resort, Breckenridge, Colorado. Space is limited and Colorado attendees have first preference. Please contact Jen Waters (jen.waters@state.co.us) to register.

Utah LEPC Conference, September 13th, 2017

Representatives from over 30 of Utah's LEPCs, state agencies, EPA and private industry will come together to discuss the topics of HazMat and All Hazard events while working to build stronger relationships. The annual LEPC conference will be held September 13, 2017 in Utah County. For more information, contact Kim Hammer at Khammer@utah.gov.

Return to Top

Lautenberg Chemical Safety Act

WASHINGTON – (June 22, 2017) On the one-year anniversary of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, Administrator Scott Pruitt announced that EPA has met its first-year statutory responsibilities under the law. This includes issuing three new rules, providing a guidance document for external parties, and releasing the scoping documents for the first ten risk evaluations that will be conducted.

"The activities we are announcing today demonstrate this Administration's commitment to providing regulatory certainty to American businesses, while protecting human health and the environment," said Administrator Pruitt. "The new process for evaluating existing chemicals outlined in these rules will increase public confidence in chemical safety without stifling innovation."

The Act amends the nation's primary chemicals management law known as the Toxic Substances Control Act (TSCA). The legislation received bipartisan support in the U.S. House of Representatives and the Senate and provides EPA with significant new responsibilities and authorities to advance chemical safety.

EPA has completed the following implementation activities at this one-year anniversary:

- Finalized a rule to establish EPA's process and criteria for identifying high priority chemicals for risk evaluation and low priority chemicals for which risk evaluation is not needed. In response to public comments, this final rule affirms EPA's commitment to following the best available science, engaging stakeholders in the prioritization process and recognizing the value of designating chemicals as low priority when appropriate. Read more.
- Finalized a rule to establish EPA's process for evaluating high priority chemicals to determine whether or not they present an unreasonable risk to health or the environment. In response to public comments, this final rule clearly defines important scientific terms to ensure transparency and confidence in the risk evaluation process while retaining flexibility to allow for new scientific approaches to be incorporated as they are developed. Additionally, the final rule clarifies EPA's authority to determine what uses of a chemical are appropriate for risk evaluation, ensuring that the Agency's resources are focused on those uses that may pose the greatest risk. Read more.
- Finalized a rule to require industry reporting of chemicals manufactured or processed in the U.S. over the past ten years. This reporting will be used to identify which chemical substances on the TSCA Inventory are active in U.S. commerce and will help inform the chemicals EPA prioritizes for risk evaluation. In response to public comments, EPA streamlined the reporting requirements for manufacturers and processors in the final rule to help reduce regulatory burden. Read more.
- Released scope documents for the initial ten chemicals for risk evaluation under the amended law. These documents identify what uses of the chemicals will be evaluated and how the evaluation will be conducted. Read more.
- Released guidance for external parties interested in submitting draft risk evaluations to the EPA for consideration. Read more.

This past year has been marked by many EPA accomplishments to implement the amended law. More information on EPA's progress to date and a full list of all the TSCA implementation activities can be found here.

Contact:
press@epa.gov

Return to Top

Training Offered

Region 8 Training

Region 8 EPA is able to arrange training for HAZWOPER 8 hour or 40 hour courses in your area. Please contact Mark Wullstein at Wullstein.Mark@epa.gov for more information or to arrange a class.

EPA also offers CAMEO software training within the six states of EPA Region 8. Classes can be set up for a half day, a full day, or a two-day class. Please contact Rebecca Broussard at Broussard.Rebecca@epa.gov to set up CAMEO training.

The course "Air Monitoring for Emergency Response" will be held in Salt Lake City. This course is scheduled for October 24 and 25th and is offered by the Environmental Response Training Program (ERTP) at the Utah Department of Environmental Quality, 195 North 1950 West, Salt Lake City, UT 84114-4840. The local contact for the class is Ryan Putman, at rputman@utah.gov.

In conjunction with the Ammonia Safety Training Institute, Region 8 EPA is offering an Anhydrous Ammonia training course October 10th and 11th.The course will be held at the Arapahoe County Fairgrounds in Colorado and will include test releases for demonstration purposes. For more information, contact Rebecca Broussard at Broussard.Rebecca@epa.gov.

Fall RRT Meeting

The 2017 Fall meeting of the Regional Response Team is scheduled for October 17th and 18th in the Denver metro area. Please contact Tina Artemis (Artemis.Tina@epa.gov) with any questions.

EPA on Social Media

For more information about EPA's current activities and EPA in the news, go to the EPA website (https://www.epa.gov).

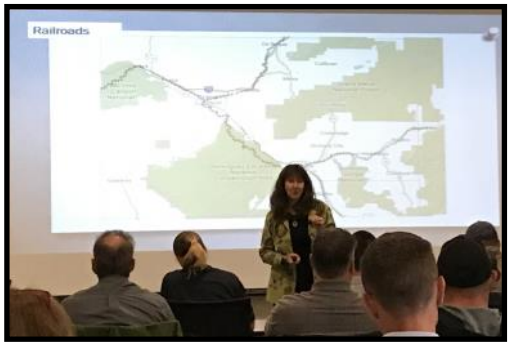
To follow EPA Administrator Scott Pruitt's activities and comments, go to Facebook under 'U.S. EPA Administrator Scott Pruitt'.

Return to Top

Chemical Industry Workshops

In May and June 2017, the Colorado Emergency Preparedness Partnership held Chemical Safety Workshops, funded by the Hazardous Materials Emergency Preparedness Grant, for five counties in Colorado (Adams, Denver, El Paso, Larimer and Mesa). These workshops brought regulated industry together with the local first responders and the city agencies that would respond to hazmat spills or releases in each county.

The workshops began with a high level overview of hazardous chemicals in general and then a deeper dive into hazardous materials known to be present in both fixed facilities and transportation through each county. This was followed by a panel discussion with first responders who discussed their response capabilities for local hazmat incidents. The panels consisted of representatives from the local Dispatch Center, Fire, Hazmat Team, Law Enforcement, Public or Environmental Health, and the Colorado State Patrol.



Finally, the Local Emergency Planning Committee Chairs or Coordinators were introduced and invited the participating industries to join in the local emergency planning efforts in the community. Over 300 regulated industries attended the workshops.

Return to Top

We will increase EPA Region 8 preparedness through:

- Planning, training, and developing outreach relations with federal agencies, states, tribes, local organizations, and the regulated community.
- Assisting in the development of EPA Region 8 preparedness planning and response capabilities through the RSC, IMT, RRT, OPA, and RMP.
- Working with facilities to reduce accidents and spills through education, inspections, and enforcement.

To contact a member of our Region 8 EPA Preparedness Unit team, review our programs or view our organization chart, click this link.

Region 8 SERC Contact Information

Colorado
Mr. Greg Stasinos, Co-Chair
Phone: 303-692-3023
greg.stasinos@state.co.us

Ms. Marilyn Gally, Co-Chair
Phone: 720-852-6694
marilyn.gally@state.co.us

North Dakota
Mr. Greg M. Wilz, Chair
Phone: 701-328-8100

Montana
Ms. Delila Bruno, Co-Chair
Phone: 406-324-4777
dbruno@mt.gov

Bob Habeck, Co-Chair
Phone: 406-444-7305
Email: bhabeck@mt.gov

South Dakota
Mr. Bob McGrath, Chair
Phone: 800-433-2288
Trish.Kindt@state.sd.us

Utah
Mr. Alan Matheson, Co-Chair
Phone: 801-536-4400
amatheson@utah.gov

Mr. Keith Squires, Co-Chair
Phone: 801-965-4461
ksquires@utah.gov

Wyoming
Rick Lopez
Phone: 307-777-4663
ricklopez@wyo.gov

RMP Hotline: (303) 312-6345

RMP Reporting Center: The Reporting Center can answer questions about software or installation problems. The RMP Reporting Center is available from 8:00 a.m. to 5:30 p.m., Monday - Friday: (703) 227-7650 or RMPRC@epacdx.net.

RMP: https://www.epa.gov/rmp **EPCRA:** https://www.epa.gov/epcra

Emergency Response: https://www.epa.gov/emergency-response

Lists of Lists

Questions? Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center at (800) 424-9346 (Monday-Thursday).

To report an oil or chemical spill, call the National Response Center at (800) 424-8802.
U.S. EPA Region 8
1595 Wynkoop Street (8EPR-ER)
Denver, CO 80202-1129
800-227-8917

This newsletter provides information on the EPA Risk Management Program, EPCRA, SPCC/FRP (Facility Response Plan) and other issues relating to Accidental Release Prevention Requirements. The information should be used as a reference tool, not as a definitive source of compliance information. Compliance regulations are published in 40 CFR Part 68 for CAA section 112(r) Risk Management Program, 40 CFR Part 355/370 for EPCRA, and 40 CFR Part 112.2 for SPCC/FRP.

Return to Top